

RECORD COPY

**MACHINERY & PROCEDURES
FOR
REDRESS OF
CITIZENS' GRIEVANCES**

First Copy for the Master.

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6.11.67

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FOR E W O R D

There has been, of late, a great deal of discussion on the problem of citizens' grievances in the established as well as developing democracies. The importance and urgency of finding some satisfactory solution for the problem are recognised on all hands. There is a growing realization of the need for an acceptable and easily accessible machinery for redress of public grievances.

In recent years, the Indian Institute of Public Administration has conducted some studies relating to some of the aspects of Citizen - Administration relationships. These studies were directed towards finding out, through empirical surveys, the extent to which various factors have been contributing to the satisfaction or dissatisfaction of the public with the existing administrative system.

The present study was undertaken by this Institute at the instance of the Administrative Reforms Commission. It is based on an examination of a sample of applications, representations, complaints and petitions received and handled in Government offices at the State, District and lower levels. The examination of the sample and its analysis bring to light the nature and extent of organisational and procedural shortcomings that lead to delays and consequent grievances. In the light of the findings of this study, some suggestions have been made for streamlining the existing machinery and procedures for redress of citizens' grievances.

It is hoped that the suggestions made in the study would prove of interest to the Administrative Reforms Commission and to all concerned. To the extent to which the official machinery and procedures for redress of citizens' grievances are strengthened, the citizens' image of the Government would improve. This would also reinforce the faith of the people in the democratic machinery of government.

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P R E F A C E

This study owes its origin to a recommendation in the Interim Report of the Administrative Reforms Commission on problems of redress of citizens' grievances. The recommendation is to the effect that the responsibility of the departments to deal effectively with the citizens' grievances should squarely be faced by them in the first instance and that, for this purpose, the existing Governmental machinery and procedures should be suitably strengthened. The interim report emphatically states that the proposed institutions of the Lokpal and the Lokayukta do not absolve a department from fulfilling its obligations to the citizens.

The value of the system of Ombudsman as the 'citizens' defender' is widely recognised. It is, however, apprehended by many (and the A.R.C. also has alluded to this) that an institution of the type of Ombudsman in a country like India with a vast area and population would require a very large staff and the system may prove unworkable. The intention of the A.R.C. is that this institution should not infringe the existing system of judiciary, administrative tribunals, appeals to superior authorities against the orders of subordinate authorities, etc. In other words, the proposed institutions would be

expected to deal with only such matters for which remedies are not available at present or where, for any valid reason, the citizens cannot make full use of these remedies. It is obvious that if the official machinery for dealing with applications and hearing of appeals and complaints is just and quick, the need for the citizens to approach the Lokpal and the Lokayukta will be minimal. The focus of our study accordingly is to examine and suggest improvements of the existing machinery.

The study is divided into four Chapters. Chapter I provides the context and a discussion of the theoretical and ideological concepts of the problem. Chapter II provides the historical and contemporary perspectives, including a brief description of the existing machinery and procedures for redress of citizens' grievances in various States. The former provides, so to say, the framework and the latter the background for the chapters that follow. These two chapters may, however, be skipped over by those who are not concerned either with theoretical discussion or historical background.

Chapter III deals with our field investigation and data analysis. It describes the salient characteristics of our sample and brings out, on the basis of empirical data, the deficiencies that beset the

existing machinery for handling applications from citizens. Chapter IV contains an analysis of these deficiencies and goes to suggest measures for removal or remedying of these deficiencies, so that the weakest link in the chain can be strengthened to approximate to the strongest.

This study was carried out in four States, namely, Andhra Pradesh, Maharashtra, Orissa and Rajasthan. About 450 applications, representations, etc. from the public, including Government employees, were examined in the offices at the State, District, Tehsil and Block levels. We also held discussions, singly or in groups, with about 40 Secretaries and Heads of Departments, 60 District Heads of Departments, including the Collectors, and about 100 office staff, including Superintendents/Head Clerks. Because of the shortage of time, we could not visit Central Government offices nor the offices of the Local/Urban Governments. We, however, feel that our recommendations will be applicable to the working of these offices, as indeed of any other office. This, however, does not preclude the need for specialised studies in depth in the context of the local situation in each office.

In conducting this study, we received generous help and cooperation from all quarters. First and foremost,

we would like to acknowledge our deep sense of gratitude to Shri B. Mehta, formerly Chief Secretary, Rajasthan, for his invaluable advice in developing our approach to this problem and in going through the interim report prepared by us. We would also like to place on record our thanks to the State Governments of Andhra Pradesh, Maharashtra, Orissa and Rajasthan, for their permission to see their records and other facilities extended to us. We are grateful to various offices and staff - too numerous to be mentioned individually - for their help and cooperation in giving us the benefit of their views.

Finally, we would like to place on record our appreciation of the competent and valuable assistance rendered, and the hard work put in, by Sarvashri J.P. Kaistha, H.M.L. Amar, Analysts; S. Satyamurthi and M. S. Parthasarathi, Research Associates; S. Krishna Murthi stenographer and J.K. Suri, typist.

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CHAPTER ONE

APPROACH TO THE PROBLEM

A. The Context :

The Administrative Reforms Commission, (referred to hereafter as A.R.C.) in their interim report on the problems of Redress of Citizens' Grievances, have strongly recommended the strengthening of governmental machinery for redress of citizens' grievances, the ultimate aim being to strengthen the institutions of Lokpal and Lokayukta, suggested by them. These proposed institutions, according to the interim report, do not absolve the (Government) Departments from fulfilling their obligations to the citizen. The report asserts that the Administration itself must play the major role in reducing the area of grievances and providing remedies wherever necessary and feasible. The report also declares emphatically that the responsibility of the departments to deal adequately with public grievances must squarely be faced by them in the first instance.¹

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1. Govt. of India Administrative Reforms Commission Interim Report on the Problems of Redress of Citizens' Grievances (1966). PP. 12-13. Please see also page 67 infra.

B. Theoretical and Ideological Concepts :

The present study dealing with machinery and procedure^s for redress of citizens' grievances existing at the State, District and lower levels, springs partly from the afore-mentioned recommendation of the A.R.C. and partly from the concern of our Institute to examine the citizen - Administration relationships in the context of the developmental democracy. The latter aspect has, as its theoretical orientation, the following issues :

(i) The Organizational Dilemmas :

The organisational principles have been undergoing changes under the impact of the mechanistic and behaviouristic schools of thought. The mechanistic principles such as the lines of communication, span of control, unity of command, etc., which were once regarded as the true basis of a sound organization, stand modified today in the light of considerable research work done, and remarkable results achieved, in the field of human relations or behaviouristic approach to the problems of an organization. Even this

2. These according to Herbert A. Simon are no more than "myths and proverbs". For a further exposition, see Herbert A. Simon, Administrative Behaviour, a study of decision making processes in administrative organizations, N.Y. Macmillan, (1954).

does not seem wholly adequate to explain the current dilemmas in the functioning of organizations. The large-scale and complex organisations of today, resulting inevitably from the rapid and far-reaching advances in modern science and technology, seem to defy all generalizations about the chief ingredients of their efficiency.

Modern Organizations give rise to many conflicts and dilemmas. For instance, organisations come into being for achievement of certain specified goals but in actual practice the organisation's goals tend to get subordinated to or replaced by the narrow personal goals of the men in them. The organizational procedures tend to masquerade as ends, rather than serve as a means to an end.

Modern Organisations also tend to operate under many dysfunctional pressures generated by their size. As Robert Presthus puts it : "... as size increases, morale decreases lower productivity and absenteeism are also associated with organisational size."

3. For further study see Victor A. Thompson, Modern Organisations, New York, Alfred A. Knoff (1963).

4. Robert Presthus. The Organizational Society: An Analysis and a Theory, New York, Alfred A. Knoff, (1962), pp. 30-31.

They also exhibit, to quote Presthus again, "a built-in conflict between authority based on position and authority based upon skill."⁵

(ii) Democratic and Welfare State Ideology :

The democratic, welfare-State goals and values enshrined in the Indian Constitution with their emphasis on such lofty principles as the dignity of the individual and justice for all, do not seem to harmonize with the dilemmas, conflicts and contradictions that plague the modern administrative organisations. Commitment to the ideologies of democratic-socialist-welfare State throw new and heavy tasks on Administration. It adds to the expanding responsibilities of Government. These are not capable of being discharged unless the organizations and personnel facing these tasks keep themselves fully alert and their procedures up-to-date for overcoming these deficiencies.

(iii) Obsolete Rules and Procedures :

The new goals and values adopted in the post-independence era are sought to be achieved with the help of old inherited rules, regulations and procedures, which were generally negative and inflexible.⁶ They were perhaps quite

5. *ibid*: p.11.

6. The changed situation needed a completely new set of simple and flexible rules, weighed in favour of bold and quick action. What was generally done, however, was that the rules and procedures were amended piecemeal again and again, to provide some ad hoc base for the shifting policies and at each time the Administration was faced with new situations. The result is that official manuals, which guide administrative

adequate to subserve the needs of the former alien rulers who were primarily concerned with maintenance of law-and-order and collection of revenue. Based on the distrust of the lower units of Administration by the higher levels, caution was the underlying theme of these rules and regulations. The continuation of the basic structure of old Administration with its obsolete and worn-out rules and regulations, has led to a maladjustment between ideologies and administrative functioning - a maladjustment which seems to have grown into a serious malady with the phenomenal increase in governmental activities.

(iv) Bureaucracy vis-a-vis the unsophisticated citizens:

When Administration lacks inner vitality to meet the challenging demands made on it, it becomes defensive and degenerates into its pathological form called bureaucracy. Bureaucracy, in the negative sense of the word, is generally associated with factors making for delays, inefficiency, impersonal administration, corruption, safe-playing, excessive regard and undue reverence for rules and procedures ; and similar

actions and which, but for the piecemeal changes, would have been completely out of date, are crowded with a plethora of "correction slips" - if they are inserted at all and regularly. In this labyrinth, the administrators today have to waste a great deal of their precious time groping for their way to discover props for their actions and explanations for their behaviour when confronted with questions by audit or in Parliament.

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ills. Under a bureaucracy pervaded by these elements, any citizen would find himself helpless in getting his difficulties removed or grievances redressed. The situation of the poor and ignorant citizens beggars description. The unsophisticated and illiterate mass of citizens would appear to be baffled by the amazing complexities, imposing conformities of modern bureaucracy and impenetrable indifference of the bureaucrats to public interests.

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7. As Prof. Dube puts it, "the major symptoms of the (bureaucratic) malady are - failure to take decision at the appropriate level, passing the buck, roping in others in decision-making, equivocal recommendations, anticipating what the boss wants, rationalisation of failures, underplaying the essentials and magnifying the grandiose, covering the failure of smaller utopias with projection of larger utopias and outright sy-cophancy." S.C. Dube, "Bureaucracy and Economic Development", Indian Journal of Public Administration, July-September, 1966, p. 349.
 8. Balzac terms bureaucracy as a gigantic power manipulated by dwarfs" (Quoted by S.C. Dube, ibid. p.351). If administrators are "dwarfs" in the face of the big bureaucratic organisations, the common citizen would seem to be powerless even before these dwarfs.

C. Dignity of the Citizen in a Democracy :

Many grievances have their source in the incorrect relationship of the administrative personnel with the citizens. In a democratic set-up such as ours, the citizens, in theory, are the masters and the Government officials their servants but in actual practice, the concept often appears to operate in a reverse order. While a Government official enjoys certain powers vested in him as a trustee holding a public office to act according to due process of law on behalf of the citizens collectively, the individual citizen suffers in practice from ignorance and appears much too weak before a Government official. It is because of this twofold aspect of citizen's helplessness in the face of government's puissance that Government servants often assume a superior posture and behave indifferently towards the citizens.

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9. "Where governments are organised by a constitution which makes the general body of citizens the ultimate possessors of political power all agencies of Government - legislative, executive and judicial - must be presumed to owe their ultimate loyalty to the Constitution i.e. to the citizen as a perpetual and comprehensive body" - D.G. Karve, "Citizen and Administration - Mutual Response," Indian Journal of Public Administration, July-September, 1966, pp. 341-42.

To our suggestion that a citizen to whom a negative reply was sent, should not only be told the reasons therefor but he should also be invited for a discussion in case he does not feel satisfied with the explanation, some of the officers interviewed by us replied that already too many of the citizens were coming to them uninvited and they would not like, or would not be able to cope with, any addition to their number. Similarly, some other officers said that too many people came to them with grievances, which on surface appeared to be quite genuine, but which in reality were non-genuine, frivolous or even malicious, and that such people, to say the least, deserved to be treated in a summary way.

This is indicative of the dilemma in adapting the legacy of colonial administration to the expectations of the present democratic administration. The autocratic manner and mentality of the former alien rulers do not seem to have completely yielded place to the service outlook among public servants. While conceding the time-lag, we may not allow this to degenerate into a cultural lag.

Rough and curt treatment, even to those citizens who, either innocently or deliberately, make a nuisance of themselves, is not justified in a democratic society. While Government officials have every right and reason to be firm in such cases, there is no justification for what appeared to us a plea on the part of some officers for an over-bearing behaviour towards the ignorant or the erring citizens. Citizens may be mistaken in making a false or frivolous or

malicious complaint ; but it does not, in our view, merit supercilious disposal: it deserves to be handled through an enlightened and courteous communication of a firm policy or decision. Firmness should not mean discourtesy or rudeness towards the citizens ; in fact, real firmness consists in scrupulous adherence to established policies tempered with due courtesy and respect to the ^{ideal} of dignity of the citizen. We are convinced that, with necessary tact and patience, this is possible of achievement and anything to the contrary would signify abuse of authority and a negation of the democratic principle of dignity of the individual, a principle which our Constitution forcefully emphasises.

D. The Accent on Secrecy

Government offices are places of public trust. They should function openly as far as applications etc. from public are concerned. That is to say, the citizens should have the right to know the action taken or proposed to be taken on their applications. This very information is, however, often denied to the citizens under the plea of secrecy. No wonder, then, that the citizens often suspect the administration of acting mala fide, especially in the case of the wealthy and influential citizens. The administrators, on the other

hand, sometimes charge the public with submission of non-genuine or malicious complaint. This breeds mutual distrust between the public and the civil servants.

E. The position of Government Servants :

Even in the initial stages of our study we were confronted with the question whether Government servants should be included in the category of citizens, whose grievances we were considering. The interim report of the A.R.C. on Citizens' Grievances excludes Government servants from the jurisdiction of the Lokpal and the Lokayukta, in as much as their grievances relate to the action taken in respect of appointments, removals, pay, discipline, superannuation or other personal matters.¹⁰ We were, however, of the view that Government employees too have their grievances, often, genuine ones. This was brought out in the Report of the Department for Removal of Public Grievances, Rajasthan, according to which in one year, that Department received 1956 grievances from Government employees as against

10. Government of India Administrative Reforms Commission, Interim Report on Problems of Redress of Citizens' Grievances (1966), p.15

588 grievances received from the general public.

Our study of the problem in the States visited by us further confirms our belief for the need for speedy redressal of the grievances of individual Government employees.

11. Government of Rajasthan, Department for Removal of Public Grievances, First Annual Report (1964-65), p. 6. Some of the more significant and delayed cases mentioned as disposed of through the intervention of this Department are listed below :

(1) An Assistant Inspector, Weights & Measures, approached this Department on 15.7.64 with the grievance that he had not been paid the arrears on account of increment since 25.9.62. On receipt of the complaint, the matter was taken up with the authorities concerned and the arrears were paid on 4.1.65.

(2) A class IV servant represented on 4.6.64 to this Department that though he had retired from Government Service about 3 years ago his pension case had not been finalised. The matter was taken up with the Revenue Department and the sanction was obtained which resulted in the finalisation of the case by 23.10.64.

(3) An employee of a Collectorate represented to this Department on 10.8.64 that he had not received a sum of Rs.900/- on account of his claims for the year 1955. The matter was taken up with the concerned authorities and payment finally made on 12.1.65.

(4) A retired Excise Inspector made a complaint to this Department on 9.6.64 to the effect that he was ordered to officiate on the post of the Assistant Commissioner, Excise and Customs, Nagaur for about two months with effect from 3.9.54, but he was not sanctioned any remuneration by the authorities concerned. The matter was taken up with the concerned Department in the Secretariat, the required sanction

Looked at from a purely utilitarian angle, a sound internal arrangement for prompt removal of the genuine grievances of Government employees would be to the advantage of Government no less than that of employees. Discontentment, genuine or imaginary, is the anti-thesis of morale and low morale is incompatible with high level of performance. "Many employees", says Gellerman, "are too timid or too inarticulate to present their case effectively." ¹² and he adds : "quite often an employee will not wish to bring his dissatisfaction to the attention of his superior. He may prefer to suffer in silence.... He may perhaps fear that having once complained he will thereafter be suspect of being a malcontent..." ¹³ In as much as agitations and strikes to which Government employees seem to be resorting more and more, symbolise the pent-up, cumulative grievances against the real or supposed unfairness of Government towards its employees, Government will be doing no more than serving its own interests if it took all measures within

was issued on 9.7.64 and necessary amount was drawn and sent to the Assistant Commissioner, Excise, Jodhpur, for disbursement to the complainant.

The causes of delay were examined and it was found that the case was delayed on account of the negligence of a dealing clerk against whom action was taken by the appointing authority on the basis of the recommendation made by this Department, by issue of a written warning to him.

12: S.W. Gellerman, The Management of Human Relations, (Holt, Rinehart and Winston, 1966), p.75.

13. ibid, pp. 77-78

its power to overhaul the machinery for redress of employees' grievances and create an impression of being fair with reference to the complaints of its employees. The need for such a machinery assumes urgency because the grievances of Government employees are outside the suggested scope of the proposed institution of the Lokpal and Lokayukta, and also because the position of Government employees is ¹⁴ still weaker than that of the general public vis-a-vis the Government authorities. Therefore, we feel that in addition to the existing machinery of staff councils etc., the official machinery and procedure for redress of citizens' grievances should be available for redressing the grievances of individual Government employees also. Later in this report we have suggested the appointment of a Grievance Officer for each Department/Office; and we feel that the good offices of this officer should be available for redress of the grievances of individual Government employees ¹⁵ too.

14. The Govt. Servants' Conduct Rules put many restrictions on Govt. servants; while the general public do not suffer from such restrictions.

15. The Government of Rajasthan have a Special Staff Officer, attached to the Chief Secretary, for redress of the grievances of Government employees. However, for want of time we could not go into the working of his office.

F. Citizen-Administration Alienation:

There are many factors that make for alienation not only of citizens from Administration but also of Administration from citizens.

(i) Alienation of Citizens from Administration :

Notwithstanding the arrangements made, or instructions issued by State Governments, deficiencies - structural, procedural and emotional - came to our notice at every stage and at every level. While we shall deal with these deficiencies in some detail later in this report, certain factors came to our notice very forcibly again and again. These factors tend, in our view, to alienate citizens from Administration and Administration from citizens. These factors, brought to our knowledge either through our own study or through discussions with officers at various levels, are :

(a) Delays - very often avoidable, sometimes inordinate, invariably inexcusable - continue to occur in the disposal of applications and petitions of citizens as well as of Government employees. It appears that in several cases delays are not due entirely to faulty or complicated rules or procedures; more often than not, they are due to the deficiencies in character or apathy of

16. The word 'alienation' is used here in the sense of mutual aloofness of citizens and administrators.

human element , including the laxity or lack of supervision. This latter aspect struck us with considerable force again and again when we found that even simple applications or petitions, not involving the application of any complicated rule or procedure, were considerably delayed or that the statement of pending cases required to be put up under the existing instructions were in fact not being put up.

(b) Non-acknowledgement :

By and large, the applications and representations are not acknowledged, even where specific instructions for doing so have been issued. This leaves the applicant in a state of uncertainty and compels him to make personal approaches to the Administration either direct or through middlemen such as other influential persons or parties, at considerable expense of time and energy of all concerned. This invariably provides a breeding ground for many a malpractice. Non-acknowledgement also leaves an unfavourable impression on the mind of the applicant that the Administration is indifferent to his application. We have come across cases where, though Administration may have initiated or even completed, action on the application, there were lapses in the communication of decisions to the applicants.

(c) Communication Break-downs :

The Administration does not seem to be keen on creating a favourable impression of its own performance on the citizens. Apart from non-acknowledgement of applications, it often does not inform the citizens even where action or decision has been taken on their application. As in the case of justice, not only is it important that action or decision on a citizen's application should be taken promptly but also that it should appear to have been taken promptly. Prompt action and proper communication of decisions go a long way towards enhancement of satisfaction among citizens with Administration.

(ii) Alienation of Administration from Citizens :

(a) Interference in Administration :¹⁷

There appears to be a growing interference in the day to day working of the Administration at all levels, including interference from those elected to various offices, high and low.

(b) Non-genuine requests :¹⁸

The citizens may sometimes come forward with requests which are either frivolous or non-genuine, or are such as are outside the scope of administrative action. Many applications may relate to matters that have already been disposed of ; but citizens apply again and again, because they are seldom prepared to take a negative reply.

¹⁷ & ¹⁸. ... As mentioned to us by some officials during the course of our interview with

They wish to pursue the matter at a higher decision-making level because they seem to entertain the feeling that negative decisions at a lower level would be reversed by higher level decision makers. People do not seem to have much faith and confidence in the congruence between the decisions made at the lower and at the higher levels of Administration.

(c) Applications to Multiple Levels : 19

The citizens often send even their first application simultaneously to higher levels of Administration, both official and political. Sometimes the lower channels of Administration are ignored and the application is initially sent to the higher level political executive. The result often is that the officer on the spot remains ignorant of the citizen's grievance till it is communicated to him from above. The higher level decision-makers hardly take steps to advise the citizens to follow the proper channels of procedures.

Even where the citizens address their application or representation to the officer on the spot, they endorse copies of the same to various other and higher levels ; sometimes every copy is written or typed in such a way as to give the impression of being the original one. All or many of the higher levels so addressed, in turn, call for a report from the officer on the spot. Coming as it does from the higher levels,

the officer on the spot cannot ignore this demand for the report ; on the other hand, he gives priority to the matter at the cost of others, which may in his judgement be more important.

This whole phenomenon of applications being submitted only to higher levels of Administration or to different levels of Administration at the same time is indicative of lack of confidence among the citizens about decision-making at lower levels.

Summary

We have approached the problem of machinery and procedures for redress of citizens' grievances in the background of the aforesaid factors and developments in the theory of organisations and ideology and systems of Administration in India and the consequences thereof. We are particularly concerned with the image of growing dissatisfaction among the citizens in relation to the administrative officials and with the factors making for mutual alienation of citizens and officials. We are greatly interested in examining how far this image is justified by empirical evidence and what needs to be done to adapt the present structure and procedures of administrative machinery for the growing responsibilities of Government under the impact of democratic development planning and Welfare-

State

goals. Our hypothesis is that we have not yet been able to evolve a philosophy of administration or an organisational and procedural system which could handle the complaints of citizens in a speedy and effective manner.

Before we give an account of the findings resulting from our field study, it would perhaps be useful to have a quick overview of some of the suggestions or attempts made in India or abroad for meeting this problem. This we do in the next chapter.

CHAPTER TWO

Historical and Contemporary Perspectives

In the context of citizens' grievances, the problem of administrative malpractices, of mis-use or abuse of discretionary powers vested in Government officials, and in present-day parlance, of bureaucratic malaise, is fairly old; but never has it assumed as much gravity and urgency as it has today. Various causes have contributed to the development of this problem; notable among them being the growing consciousness among citizens of their rights and privileges in a democracy, the acceptance of Welfare State ideology, the consequential planning and development endeavour and the growing size of administrative organisations as a concomitant of increasing Governmental functions and responsibilities. The expansion of bureaucracy and multiplication of administrative processes have led to an increase in the opportunities for abuse of power and discretion. The problem is aggravated still further by the context of scarcity of materials and resources, the need for controls and licences for their optimum utilisation, the deterioration in standards of staff competence and efficiency and the laxity of general supervision and discipline.

The decentralization of authority and delegation of powers are regarded as the basic tenets of a sound organisation. Any attempt or suggestion to reverse this trend on the ground merely that it might lead to abuse or misuse of these powers would be tantamount to cutting at the roots of organisational efficiency. The efforts at reforms and achievements of citizen - satisfaction have, therefore, been directed invariably towards toning up the Administration and devising sufficient checks and safeguards for preventing a mala fide and arbitrary use of these powers. These efforts can be reviewed from three angles :

- (a) Previous literature on the subject ;
- (b) Existing machinery and procedures for redress of citizens' grievances ; and
- (c) the Institution of Ombudsman (or its equivalent).

(a) Previous Literature on the subject :

Considerable attention has been paid during recent years to strengthen governmental machinery so as to make it a more effective instrument for redress of citizens' grievances. The efforts towards this end are reflected in the growing literature on the subject. Some of this

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literature is in the form of articles, some a part of the reports of Committees appointed for reforms in Administration and the rest is in the form of research studies undertaken on various aspects of the problem. An attempt is made in the following pages to refer in brief to some of the important findings of these studies.

✓ (i) Field Study Project in Sabarkantha District in Gujarat by G.D. Patel (1964) :

A Field Study headed by Dr. G.D. Patel of the Planning Commission was made in 1962-63 in Sabarkantha District of Gujarat. 2 The report was presented to the

1. Among others, mention may be made of the following:-

1. Government of India Report of the Committee on Prevention of Corruption (Chairman : K. Santhanam) New Delhi, Manager of Publications.
2. Lok Sabha Secretariat Research Branch "The Ombudsman in other countries" Indian Journal of Parliamentary Information, 1964.
3. Administrative Reforms Commission, Interim Report on Citizens' Grievances (1966).
4. Govt. of Rajasthan, Department for Removal of Public Grievances, First Annual Report, 1964-65.
5. Reports of various Administrative Reforms Committees and Individuals vide Appendix I.

2. Government of Gujarat, Report on the Sabarkantha Field Project, (Government Central Press, 1964).

State Government in May, 1964. The main objective of the study was to examine the existing administrative procedures of different departments at the District level, and to suggest measures for removing the prevailing procedural difficulties, administrative bottlenecks, malpractices and delays.

The Study highlights the extent of delays that occur in Government offices. Out of 1977 pending applications for the grant of village sites, 1121 were pending for six months, 396 for one year, 251 for two years, 165 for five years and 39 for ten years or more. Some of the important suggestions made in the report relate to proper recruitment and training of staff ; incentives for good work ; equitable distribution of work ; rationalisation of administrative procedures ; prescribing time limits for the disposal of applications ; close coordination, inspection, supervision, reduction in paper work ; fewer and simpler laws ; checking of undue interference of public men and the appointment of a 'Grievanceman' at the State/District level.

(ii) Report on the Administrative Survey of the Surat District by N.B. Desai (1958) :

The main objective of the Report on the Administrative Survey of the Surat District by N.B. Desai was to

3. N.B. Desai, Report on the Administrative Survey of the Surat District, the Indian Society of Agricultural Economics, Bombay, 1958.

examine the existing machinery at different levels in Surat District from the viewpoint of the procedures and practices and to assess their efficiency. A focal point of interest to us is the examination in this study of the structure and working of the Revenue Department and the author's observations pertaining to delays in that Department. According to this Report the census of pending cases held by the Government in 1955 showed that 30,347 cases were still awaiting official decision. The number of cases pending for more than six months was 12,593 and for 10 years and more, the number was 815. These cases related mostly to boundary, land, city survey, land acquisition, record of rights, etc. One of the most important reasons for the accumulation of cases, in the author's view, is the practice " of referring the majority of cases to subordinate offices for furnishing the information without specifying the points on which information is required". The report mentions the following among other factors being responsible for delay: (1) lack of knowledge, of official procedures and practices and absence of efficient methods of work; (2) lack of training and guidance to clerks; (3) lack of effective control by responsible officers; (4) unequal distribution of work; (5) lack of proper material such as law books, rules, standing

orders, etc., (6) lack of clarity in circulars, calling for reports from subordinate offices without telling them on what points information is required; and (7) want of time-saving devices such as standardisation of forms relating to enquiry, scrutiny, issue of orders, etc. The recommendations made in this report emphasise the recruitment of the right type of personnel, in-service training to Government officials, strict observance of time-limits in disposal of cases, preparation of weekly arrears statements, proper planning and distribution of work, supply of up-to-date Office Manual to subordinate staff and so on.

One of the findings of this Report is that the Collector is burdened with numerous kinds of work, with the result that his important role as coordinator of all agencies is neglected. The report, therefore, suggests that additional officers should be attached to the District Collector to relieve him of many routine activities.

(iii) Report of the Orientation & Study Centre, Junagarh (1965) : 4

The Orientation & Study Centre, Junagarh, conducted a research study on "Helping the cultivators in getting loans

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4. Orientation and Study Centre, Junagarh, Helping the Cultivators in Getting Loans from Land Mortgage Banks, (Memo., 1965).

from Land-Mortgage Banks for wells, engines and pumps".

It came to the conclusion that the people were reluctant to apply for loan because : (1) even two years after submission of the application, they could not get a loan, (2) they had to spend a lot of money in the process, and (3) the process was lengthy.

(iv) Reports of Administrative Reforms Committees :

A number of State Governments have set up, from time to time, Committees for suggesting reform of administrative machinery and procedures. Generally speaking, the reports completed before 1960 do not specifically touch upon the question of citizens' grievances vis-a-vis the Administration. In recent years, however, the Administrative Reforms Committees appointed by various State Governments have given significant attention to the tuning up of administration with specific reference to the problem of citizens' grievances.

A brief summary of the recommendations made by the various Administrative Reforms Committees, as also by a few individuals, is given in Appendix I. These recommendations touch upon various aspects of the problem - ideological, structural and procedural.

5

The Rajasthan Committee (1963) lays emphasis on the need for courtesy and respect being shown to the views of the people's representatives, urges the appointment of an independent and high-powered body in the nature of an Ombudsman, encourages the "officer-oriented" pattern of administration, and recommends reduction in the number of dealing levels.

6

The Report of the Punjab Administrative Reforms Commission (1964-66) recommends greater delegation of authority "all along the line", reduction in the number of stages in the passage of a file to the decision-making level, transmission of a correct picture of governmental performance to the people, and accessibility of officers to the people at appointed hours.

The Government of Kerala had appointed an Administrative Reforms Committee in 1958. Subsequently, they had appointed another Committee (1965-1967), called the Kerala Administrative Reorganization and Economy Committee. The Administrative Reorganization and Economy Committee, Kerala, deplores "slackness" in the disposal of business in "almost every office of the Government" and adds that

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5. Government of Rajasthan. Report of the Administrative Reforms Committee (1963-66)
6. Government of Punjab, Report of the Punjab Administrative Reforms Commission (1966)
7. Government of Kerala, report of the Administrative Reorganization and Economy Committee (1965-67).

"indiscipline among Government servants has been sweeping the State". The report emphasises the importance of integrity and efficiency at all levels as basic to good administration. It recommends that there should be a periodical assessment by Government of the extent to which civil servants have or have not been able to ensure prompt disposal of business in Government offices and to show courteous and sympathetic attention to individual citizens and be accessible to members of the public. In regard to administrative procedures, the report recommends the maintenance and scrutiny of a petition register in each office, acknowledgement of petitions and communication to the applicant of the reasons for rejection of his request.

8
The Andhra Pradesh Reforms Committee (1964-65) recommends acknowledgement of every application and appointment of a receptionist of the rank of U.D.C. in each Collectorate.

9
The report on District Revenue Offices by M.G. Pimpurkar (1959) recommends that there should not

8. Government of Andhra Pradesh, Report of the Administrative Reforms Committee, (1964-65).

9. M.G. Pimpurkar, Report on the Reorganisation of District Revenue Offices, Government of Bombay (1959).

be more than one middle-man between the acting hand and the officer who can give orders, that there should not be too many halting places or too much tossing of papers, that there should be time-limits beyond which no one should be allowed to keep papers pending with him and that there should be regular system of inspections.

All these recommendations are, to our mind, well known and the very fact of their reiteration leads one to think that their implementation leaves much to be desired.

(v) Studies by the Indian Institute of Public Administration.

The Indian Institute of Public Administration also has been interested in the problem of Citizen - Administration relationship and a few research studies on the subject have been conducted under its auspices. An empirical study on the Citizen and Administration in a Developing Democracy was carried out in Delhi State in 1964 by S.J. Eldersveld, V. Jagannadham and A.P. Barnabas. The data collected in connection with this study shows certain unexpected patterns of public contacts with and opinions about administrative officials - patterns which can make one both optimistic and alarmed. One feels optimistic because the study reveals enormous opportunity for the citizens to be influenced by the administrative cadres, since 60 to 75 per cent of the citizens in urban and rural areas come

in frequent contacts with the officials and only less than ten per cent seek to live in complete isolation from bureaucracy. The study further suggests certain critical restrictions of "information flow" in the Indian system in rural Delhi, 73 per cent of the well-to-do villagers have some contact with the officials while only 27 per cent of those in the lower income group are in similar contact.¹⁰ The Study reveals that there is "a complex and paradoxical mosaic of support and hostility, of consensus and critique"¹¹ in the attitudes of Indian citizens towards their Government and particularly its officials. From 75 to 90 per cent of citizens view governmental jobs as prestigious, and 90 per cent feel that health and community development programmes are worth-while.¹² On the other hand, a majority of them feel that "50 per cent or more of the officials are corrupt, large proportions say (60 per cent urban, 32 per cent rural) that their dealings with officials are unsatisfactory"¹³

10. S.J. Eldersveld, V. Jagannadham and A.P. Barnabas, The Citizen and Administrator in a Developing Democracy : An Empirical Study in Delhi State, India, 1964 (mimeo), pp. 203-04.

11 & 12. ibid, p. 205.

13. ibid, p. 205.

One of the prominent conclusions of this study is that "the image which persists in our data is one of citizens' acquiescence and support as well as actual and potential dissatisfaction."¹⁴

The study sums up the essence of citizen - Administration relationship revealed in these words :

" There appears to be a complex attitudinal and perceptual set of expectations about the citizen's relationship with administrators. The components of this syndrome are : lack of self-confidence on the part of the ordinary citizen in dealing directly with officials ; a feeling that the best way to deal with administrators is by enlisting the support of others, particularly individuals with the right contacts and "political pull", that administrators do not and will not treat all people equally and that these administrative actions are final, complaints availing very little or being difficult to process. ¹⁵

Another study is on the Experience of Citizens in Getting Water Connections by A.P. Barnabas. The general findings of this study are that the majority of the public are unaware of the procedures and the pre-conditions for getting the water connection ; that the public avoid going to the Corporation themselves and prefer to get things done through the middle-men ; that both the public and the plumbers feel that unless

14. ibid, p. 205.

15. ibid, p. 42

speed money is paid the files do not get momentum ;
and that the corruption seems to be more prevalent at cut-
ting edge level both in the office and in the field. ¹⁶

According to this study, "there prevails among the public
a considerable degree of feeling that there is deliberate
delay, harassment and discourtesy in many departments of
the Corporation. ¹⁷ On the contrary, the viewpoint of the

officials is that the public wants to get things done ex-
pediently on out of turn and even without completing all
the formalities. ¹⁸ One of the suggestions of this study is

that the administrative effort should develop greater commu-
nication between the Administration and the public with
regard to administrative procedures. ¹⁹

Latest in the series is the study of "Citizens' Grievances in Development Administration" conducted for the
Administrative Reforms Commission by A.P. Barnabas. ²⁰

The study looks at the whole problem of citizens' grievances
in the context of Knowledge, Experience, Perceptions, Attitudes and Corruption.

16. A.P. Barnabas, The Experience of Citizens in Getting Water Connections. The Indian Institute of Public Administration, 1965, pp. 27-28.

17 & 18. Ibid, p. 26.

19. ibid, p. 28.

20. A.P. Barnabas, Citizens' Grievances in Development Administration, (Mimeo), Indian Institute of Public Administration, 1966.

It goes on to identify a number of points that bear on the mutual alienation of the citizens and the officials at the village and upper area levels. A few of the important points discovered by this study are :

- (1) In the three areas of Taccavi Loan, Maternity and Child Welfare Centres and Family Planning Centres, the knowledge among the people was poor (page 19) ;
- (2) There is not only lack of knowledge among the villagers but even among the officials themselves regarding the eligibility for grant of taccavi loan, the agencies for its recovery and the purposes for which taccavi loan is given (page 21).
- (3) About three-fourths of the people who had been to the hospital had to pay for the cost of the medicine or injection, and about one-fourth for getting the injection itself, though nearly 60 per cent of the population knew that they did not have to pay for the health services (p. 35-36).
- (4) The villagers and the officials are both alienated from the Administration (page 61).
- (5) Only about 13 per cent of the people felt that Ministers are primarily interested in the promotion of national good and welfare of the villagers, while about a third of them seemed to think that the primary interest of Ministers was to strengthen their own political party or their own political position (page 65).

The study suggests, inter alia, that each State Government should have a Central Grievance Officer common to all Departments as well as a Grievance Officer for each Government Department (page 149) ; (2) the number of dealing levels should be reduced (page 153) ; (3) more information and education should be provided both to the public and to the officials about the services provided by Government and the

procedures prescribed therefor (page 27) ; (4) training programmes of officials at all levels should be reviewed (pages 164-65) ; and (5) there should not be too much probe or interference by Ministers in the power or discretion of officers.

Many of the conclusions and suggestions mentioned above are not related to citizens' grievances in the real sense of the term; nevertheless, they do point to the deficiencies which give rise to dissatisfaction among the citizens.

B. Existing Machinery and Procedures :

Citizens' satisfaction has been, or rather has been prescribed as, the chief motto of a democratic State. The devices to ascertain and remedy the grievances of citizens against administrative misaction or inaction have been an integral part of administrative system since times immemorial, though their nature has been changing with the change of times. We hear of stories how in the hoary past, the king, if he was benevolent, would go about incognito or send his agents to find out the difficulties of his people. In the Mughal period, the "Call Bell" installed by Jahangir enabling any citizen to call on him at any time by ringing the bell offers a classic example of the "Open-door" policy adopted by him for redress of the citizens' grievances. The "open-door" policy was continued,

though in a somewhat different form; during the British regime, when many a Collector used to go on horse-back to inspect the villages and to camp there for a few days. One of the important functions of the Collector during such camps was to hear and remove public difficulties, complaints and grievances.

The "open-door" policy of the autocratic and paternalistic regime of olden days when the ruler's or his agent's decision was termed as "law" can, at best, have a limited application in the democratic regimes of today. This is so not only because the pressure of developmental activities and availability of faster means of transportation have curtailed the time that the Collector spends "in camp", but also, and mainly, because his decisions and actions have to be guided by the impersonal system of bureaucratic rules and precedents, reference to which is hardly possible in a camp. In fact, the traditional system of "on the spot" disposal of complaints and grievances was not without its defects. It involved the possibility of a wrong decision, or the decision which might cause wrong to someone else. Nevertheless, it served as a rough and ready means of redressal in the relatively simple and personalized systems of administration.

The Government of India as also some State Governments have already taken some steps, during the past few years,

to strengthen, or rather, to create, the machinery and procedure for dealing with citizens' grievances. In June, 1964, the Government of India issued to Central Ministries certain guide-lines for satisfactory handling of complaints from the public.²¹ The then Home Minister forwarded these guidelines to the State Governments in the hope that they may also want to review their existing arrangements about dealing with public grievances. The two essential objectives of the arrangement suggested were :

- (i) The system of handling complaints and grievances in the existing hierarchy of offices should be tightened up to ensure that every complaint received quick and sympathetic attention leaving no ground in the mind of the complainant for a continued feeling of grievance; and
- (ii) for big organisations having substantial contacts with the public, there should be a distinct cell under a specially designated senior officer, which should function as a sort of "outside complaints' agency" within the Organisation and thus act as a second check on the adequacy of disposal of complaints.

The guidelines issued by the Ministry of Home Affairs

21. Govt. of India, Ministry of Home Affairs
(Department of Administrative Reforms)
No. 30/1/64-AR dated the 29th June, 1964.
A copy of this is given in Appendix II.

also gave a list of check-points for reviewing the existing arrangements for handling complaints and grievances as well as an outline showing how the "Complaints' Cell" will work in collaboration with the Enquiry-cum-Reception Centre.

Almost all the State Governments, with one or two exceptions, have established some machinery or laid down some procedure for dealing with the citizens' complaints. However, a study of the grievances machinery and grievance procedures obtaining at present in various States indicates an "individualistic" approach to the problem. Not only do the systems deviate a great deal from the model suggested by the Government of India, but there is a considerable variation among the systems evolved by individual States.

Some State Governments have nominated an officer, generally part-time, in each Secretariat Department, while one or two State Governments have gone so far as to provide a senior officer as State Director of Public Grievances. A few State Governments have created Grievance Officers (whole-time or part-time) at the District level and/or

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22. This should not be taken to mean any criticism of these variations, which might be due to the local characteristics and past approaches of each State. In fact this variation was one of the factors that influenced the design of our study, as well as our approach to the problem in a rather broad and general way. That is to say the problem will need further studies in depth with the spotlight focussed on smaller areas.

the district level Grievance Committees, consisting of both officials and non-officials. A few State Governments have defined the role of Ministers in the Grievance Procedure. Some State Governments have issued specific instructions on such procedural aspects as acknowledgements, fixation of time limit for disposal of communications from the public, handling of enquiries and complaints from M.Ps., M.L.As and what the officers should do while on tour.

The machinery of Vigilance Commission set up by the States like Madras, Rajasthan, U.P., West Bengal, Madhya Pradesh, etc. is outside the scope of our study.

The function of the Vigilance Commission is generally to investigate the cases involving corruption, bribery, misconduct, alleged exercise or failure to

exercise, for the purpose of serving improper and corrupt designs, the powers delegated to a public servant. The Vigilance Commission is concerned primarily with detection or prevention of corruption. Our study is concerned with the manner of handling citizens' complaints and applications in Government offices. Even though the two may have areas of intersection, we did not study the working of the Vigilance Commissions.

In the rest of this chapter, we shall confine

ourselves to a brief State-wise description of the existing machinery and procedures for handling applications from the public and redressing their grievances.

Andhra Pradesh

In accordance with the recommendations of the State's Administrative Reforms Committee, the State Government have
23
issued instruction that there should be :

- (i) a Central Reception Office in the Secretariat manned by a Superintendent for attending to public enquiries ;
- (ii) a receptionist of the rank of an Upper Division Clerk in each department of the Secretariat for directing the visitor to the concerned officer ;
- (iii) an Assistant Secretary nominated in each Department for supervising the work of the Departmental Receptionist and for attending to public relations work such as pooling and transmitting publicity material to the Information and Public Relations Department ;
- (iv) an Upper Division Clerk in the offices of the Heads of Department to act as Receptionist for assisting the public ;
- (v) an officer nominated in the office of the Head of Department for attending to public relations work and for furnishing the necessary publicity material to the Department of Information and Public Relations ; and
- (vi) a receptionist of the rank of an Upper Division Clerk in each Collectorate.

It is also laid down that Visitor's Rooms may be provided in

23. Government of Andhra Pradesh, General Administration (O & M.A.) Department, G.O.Ms.No.144 dated the 25th January, '62.

the offices where the number of visitors justifies provision of a room.

The State Government have also laid down the procedure²⁴ for attending to Members of Parliament or the State Legislature. According to this procedure, Members of Parliament and of State Legislature should be given preference over other visitors for purposes of interview ; their request for information should be immediately acknowledged with the promise of expeditious reply and the Collectors and other District Officers may ordinarily furnish to them, when requested, information within their cognizance as to statistics or facts relating to local matters or concern ; but they should not divulge the contents of correspondence which is of a confidential nature or which involves a statement of general policy for which a higher authority is responsible.

25

The State Government have also issued instructions

24. Government of Andhra Pradesh, General Administration (Services-A) Department, G.O.Ms. No. 1293, dated the 22nd August, 1958.

25. Based on the Extract from the Andhra Pradesh Government Business Rules and Secretariat Instructions.

regarding the submission and receipt of petitions and other papers of the same class addressed to Government. These instructions list out the type of cases, in which the petitions from the public will be liable to summary rejection. The most important of these are :

- (i) when the matter was considered and decided by the Government in the past and no new facts are brought to light ;
- (ii) when the petition is an appeal arising from a judicial decision ;
- (iii) when the petition is against a decision which is declared to be final by law or statutory rule ;
- (iv) when the petition is against the failure of the Government to exercise a discretion vested in them by law or rule ;
- (v) when law provides a different or specific remedy relating to the subject matter of the petition ;
- (vi) when the petition against an individual or body of individuals relates to private relations of such individual or body with the petitioner ; and
- (vii) when the petition is illegible, unintelligible or is written in improper language.

Assam

The information is awaited.

Bihar

26

Instructions have been issued to all gazetted officers

26. Govt. of Bihar Cabinet Secretariat Memo No. C.S.-34 and C.S./M3-1026/64/671 dated the 3rd Jan., and 23rd Jan., 1964 respectively.

to set apart an hour daily for listening to public grievances, and to maintain a register giving details of the person interviewed together with a gist of the complaint. The register should be checked by the superior officers through periodical surprise inspections.

27.

At the District level there is also a provision for the setting up of anti-corruption Committee with the District Magistrate as convenor, Superintendent of Police, M.L.As., President and Secretary of Bar Association and a few nominees of other non-official bodies, as members. This Committee is expected to take necessary action on the complaints brought to its notice by the members.

Gujarat

28

The State Government have laid down procedure for dealing with applications from the members of public as well as problems put forward by the M.L.As. The following type of applications are not to be entertained :

(i) on matters which are to be decided by a

27. Letter No. OM/R-3028/66/466 dated the 19th November, 1966, from the Cabinet Secretariat. (O & M Section) - Govt. of Bihar to Indian Institute of Public Administration, New Delhi.

28. Govt. of Gujarat General Administration Deptt. Resolution No. DPS-1064-ASS-I dated the 2nd December, 1964.

Court of Law, Tribunal, etc. or relating to criminal offences in which a recourse can be had to a Court of Law ;

- (ii) where the applicant has failed to approach the competent authority unless there are special reasons for this lapse ; and
- (iii) where the matter has been decided by the Government in the past and no new facts have been brought out.

The instructions applicable at the Secretariat level are :

- (i) applications received by the Minister should be passed on to the selected Deputy Secretary of the Department for scrutiny and, after instructions for their disposal have been given, these should be sent to the Branches concerned for further action ;
- (ii) in order to facilitate follow-up, a register should be maintained showing district-wise / office-wise details of applications forwarded to / Collectors or other offices for enquiry or report ;
- (iii) advance publicity of Minister's visit to the district should be given by the Collector so that the public may send in their applications to him for being placed before the Minister. The applications should be processed by the concerned officer and the required information kept ready. The Deputy Secretary concerned would come ahead of the Minister, scrutinise all the applications in consultation with concerned officers and indicate action. The applicants may thereafter see the Minister to explain their cases. The Minister, after consulting the Collector, if necessary, will apprise the correct position to the party and indicate what the Government can do in the matter. The cases, which cannot be decided on the spot, should be finalised by the concerned officials by a specified date and reply thereto should be sent to the applicant under intimation to the Deputy Secretary and Private Secretary to the Minister concerned.

Applications received by the Heads of the Departments/offices should likewise be dealt with by a selected Assistant/Deputy Director. He should scrutinise all the applications, etc. received, make necessary entries in the register, forward these to the concerned Branches for necessary action and keep the Head of Department/Office informed of the progress. Heads of Departments/Offices should, while on tour, follow the procedure laid down for the Ministers.

The Collectors should follow the above-mentioned procedure for dealing with applications during their tour of the District.

The problems put forward by the M.L.As would be handled by Ministers through personal discussion.

On matters which cannot be decided on the spot, the concerned Deputy Secretary should get the comments of the Officers/Collectors concerned and submit his report to Government. The references from M.L.As should invariably be followed up by the Deputy Secretary ^{he} and/ should ensure that replies to all communications from M.L.As are duly sent. While references from M.L.As on general matters are to be given priority, those on individual matters are to be treated at par with references from the general public.

Detailed rules for making applications to Government have been issued ²⁹ in pamphlet form (in Gujarati) to serve as guide-lines for the general public. This pamphlet also contains a list of subjects allotted to various departments as well as a standardised application form.

Haryana

The grievance machinery set up by the former Government of undivided Punjab continues to exist and the Director of Public Relations is now functioning as Director of Grievances ³⁰ ³¹. In the former Punjab State, a Grievance Department having jurisdiction over all Government offices excepting the judiciary had been set up. Some of the important functions and duties of this Department were :

- (i) to receive complaints directly from public

29. Govt. of Gujarat General Administration Deptt., Notification No. ANS-1064-AES dated the 8th Feb., 1966.

30. Letter No. 789-IAR-67/9173 dated 24.7.1967 from the Govt. of Haryana, Political and Services Deptt., Chandigarh to the Indian Institute of Public Administration, New Delhi.

31. Letters No. 2419-DG(2)-66/1709 dated the 12th August, '66 and No. 3602-DG(2)/66 dated 18.11.1966 from the Director of Grievances and Joint Secretary to the Government of Punjab to Indian Institute of Public Administration, New Delhi.

(including retired Government servants) or through Ministers or Secretaries to Government and to conduct enquiries directly or through the Department ;

- (ii) to advise and assist the Heads of Departments and Deputy Commissioners in setting up arrangements for quick disposal of public grievances ;
- (iii) to ensure that Government instructions for proper redress of public grievances are carried out in all departments and districts;
- (iv) to undertake enquiries in cases of undue delay and of urgent nature ;
- (v) to study causes of major grievances and to propose remedies and to recommend changes in law, rules, etc., where necessary ;
- (vi) to suggest ways and means to improve the machinery for removal of public grievances;
- (vii) to recommend to the concerned Departments action against defaulting officials and, if these recommendations are not complied with or agreed to, to bring the fact to the notice of the Chief Secretary or the Chief Minister ;
- (viii) to ask the concerned Departments to send reports to the Police or the Vigilance Department if a criminal case is made out; and
- (ix) to ensure effective supervision and submit annual review on the receipt and disposal of complaints.

A Public Grievance Office was also established, with a Public Relations Officer of the status of Under Secretary as its head. This office was, however, abolished subsequently for reasons of economy.

32

The Government of Haryana have inherited from the

32. The present Government of Punjab also have similar Grievances Committees at the District as well as at the sub-divisional levels.

former Government of undivided Punjab "Grievances Committees" operating at the District Level as well as at the sub-divisional level. The District Level Committee in the former Punjab consisted, besides the District Departmental Heads, of all the M.P.s. and M.L.As of the District, President and Secretary of the District Congress Committee, ³³ the President of the District Headquarters Municipality, the District Chairman of Bharat Sewak Samaj, the Chairman of the Sadachar Samiti, a representative each of the farmers and traders in the District, the Chairman of the Zila Parishad, as well as the Chairmen of the Block Samitis by rotation for a period of six months.

The essential function of these Committees is to ensure that all grievances are properly looked into; they do this through a report of the action taken which is placed before the Committee. Where any non-official member is not satisfied with the result of the enquiry, the Deputy Commissioner entrusts the matter to the Public Grievances Officer of the District and gets it re-investigated in consultation with the member complaining.

The Government have also made provision for a Public Grievance Officer in the Deputy Commissioner's Office.

33. We are not aware whether, with the installation of the new Ministry, the composition of the Committee has undergone any change.

Some of the important functions of the Public Grievance Officer are :

- (i) to supply to the public detailed information through an enquiry counter to be managed by one of his Assistants ;
- (ii) to meet and hear persons complaining of delays, etc. and take remedial action ;
- (iii) to contact concerned Departmental Heads for expediting the cases brought to his notice and to intimate the present position about the cases to the parties who come with such requests ;
- (iv) to study the working of District Offices with a view to effecting improvements in procedures ; and
- (v) to bring to the notice of the Deputy Commissioner cases of default.

It has also been laid down by the State Government that Officers at various levels should bear in mind the following instructions :

- (i) Anonymous and pseudonymous complaints should be rejected and all other complaints should be acknowledged within one week ;
- (ii) the authority competent to punish should be made responsible for disposal of complaints ;
- (iii) while representing to higher authority, the applicant should indicate whether lower level authorities were approached and have failed to give him justice ;
- (iv) an affidavit is required on applications relating to corruption ;
- (v) the complaint should not be passed on for disposal to an officer below the rank of S.H.O./ Naib Tehsildar ;
- (vi) where the complaints prove to be false or malicious

action to prosecute the complainant should be taken at the appropriate level ;

(vii) the period prescribed for disposal of complaints is normally 4 weeks. Efforts should, however, be made to do it earlier ;

(viii) periodical returns prescribed by the Directorate of Grievances should be submitted regularly to the concerned quarters, and the quarterly progress reports of complaints received and disposed of in each Department should be reviewed in the periodical meetings of the Ministers with their Secretaries/Heads of Departments ;

(ix) the Departments should include a paragraph in their Annual Administration Report relating to the progress of disposal of complaints/grievances during the year ; and

(x) the Director of Grievances could address any officer of the Government directly and obtain any information relevant to the enquiry, or requisition any files, documents, etc.

Jammu & Kashmir

All the District Offices have been asked to devote some time daily for listening to public grievances and take remedial action. They should do regular touring and submit monthly diaries.

Kerala

A complaint box has been installed at the Raj Bhavan

34. Letter No. G.D.(KAS)56/66 dated the 7th October, 1966, from the Govt. of Jammu & Kashmir, General Administration Department to Indian Institute of Public Administration, New Delhi.

to enable members of the public to put in their representations, complaints, etc. against Administration. Representations so received are sent by the Governor's Secretariat to the concerned Secretariat Departments for necessary action.

35

It has been laid down that the complaints received from the Governor's Secretary should be entered in the Central Agency of the concerned Department in a separate register and acknowledged. The Secretary of the Department or a Deputy Secretary nominated by him should ensure prompt disposal of the applications and submit fortnightly statements of action taken to the Governor's Secretary.

36

Instructions have been issued to all the Executive Officers, Heads of Departments/Offices to set apart a particular time to receive petitions or to see persons who wish to make representations. All Government servants have been instructed to be helpful

37

35. Govt. of Kerala, Public (Miscellaneous) Deptt., Circular No. 93594-M5/65-2/PD dated the 16th December, 1965.

36. Govt. of Kerala, O & M Division, Memo No. 58377/O & M/64 dated 16.11.64

37. Govt. of Kerala, O & M Division Memo No. 10254/O & M/65 dated 3-5-1966

and cooperative in their dealings with the public and, that³⁸ they should be easily accessible. Officers should, while on tour, meet local people and discuss with them local problems. Adequate opportunity should be given to the parties concerned to explain their cases before taking a decision and matters of public interest should, as far as possible, be considered in public.

Madhya Pradesh

There is no specific machinery at the State level but³⁹ under the existing procedure complaints are required to be scrutinised to see whether they are anonymous or pseudonymous and/or relate to matters of importance. Anonymous/pseudonymous complaints are generally to be filed unless allegations made appear prima facie to be correct. Those relating to matters of importance are decided by the Government after calling for the report of concerned officers, if necessary, and the complainant is informed accordingly.

38. Govt. of Kerala, O & M Division Circular Letter No. 67960/66/O & M dated 17.8.1966.

39. Letter No. 214/I/O & M dated the 17th September, 1966, from the Govt. of Madhya Pradesh, General Admn. Deptt. (O & M), Bhopal to the Indian Institute of Public Administration, New Delhi.

The Government of Madhya Pradesh have also constituted⁴⁰ at the District level two Committees to deal with public complaints and grievances - A Committee of non-officials and a Committee of officials. The

Committee of non-officials consists of M.L.As and M.Ps representing the District. Members of the Rajya Sabha residing in the District also attend meetings of the

District Complaints Committee of non-officials. Ministers

are not members of the Committee of non-officials.

Government have powers to nominate members but the

Committee's strength, including those nominated,

does not exceed 25. The Collector, functioning as the Convenor of the Committee, convenes its meeting once a month and places before it for scrutiny all the

petitions and complaints received. After scrutiny,

the complaints are forwarded to the Committee of officials for suitable action.

The Committee of officials consists of all the District Officers of the various Departments except the District and Sessions Judge. The Collector

40. Government of Madhya Pradesh (General Administration Department) Memo No. 533-CR-46/I(IV) dated the 30th January, 1964.

Following are some of the important guidelines to the public :

- (i) Only the party aggrieved should make the application which should contain full name, address, and signature or thumb impression of the sender ;
- (ii) application should be concise, clear, complete in itself and should be written in intelligible and proper language ;
- (iii) the application should not relate to matters which are sub-judice or which should more appropriately be decided by a Court of Law, Tribunal, etc. ;
- (iv) application relating to a particular matter should be addressed only to one individual, either Minister or the Secretary of the Department ;
- (v) Appeals on matters decided by Government in the past will not be considered unless new facts are brought out ;
- (vi) the applicant not satisfied with a decision of an officer should approach the higher officer, who is required to give reasons if the request is not acceded to. The party may then approach the higher authorities or the Government ; and
- (vii) no notice would be taken of the applications from communal organisations, or on political matters.

Some of the salient instructions issued by Government to its officers are :-

- (i) all the applications, with specified exceptions, should be acknowledged ;
- (ii) applications received wrongly in an office should be forwarded to the concerned office under advice to the party ;
- (iii) if a decision is likely to be delayed, the applicant should be informed of it ;
- (iv) all applications should be dealt with expeditiously

urgent nature

but those of a/ should not be delayed beyond one week without specific approval of the superior officer ;

- (v) matters concerning more than one department should be finalised by personal discussions which should take place twice or thrice a week ;
- (vi) District Officers should ensure prompt replies to higher officers/Government ; otherwise, they are to be held personally responsible for the delay ; and
- (vii) subordinate officers should not refer the matter to higher levels when they are themselves competent to take a decision.

45

At the District level it has been laid down that:

- (i) In every head of Department or Office under the Zila Parishad a subordinate officer of adequate status should be nominated to deal with complaints received from the public. A register of complaints should also be maintained. The register should be periodically scrutinised by the Head of Department/Office ;
- (ii) in the Revenue Offices there should be a designated subordinate officer for attending to visitors when the Head of Office is away on tour or after his visiting hours ;
- (iii) there should be an Enquiry Officer in the Collector's Office to satisfy the visitors on routine points ;
- (iv) the District Publicity Officer, who functions under the State Director of Publicity, is required to bring to the notice of the Collector anything connected with the District Administration, appearing in the Press ; and

45. Government of Maharashtra, Rural Development Department, letter No. ZPA-1064/68384-N dated the 21st December, 1964, to all Chief Executive Officers of Zila Parishads, and Govt. of Maharashtra, Revenue Deptt. circular No. 44153-F dated the 22nd July, 1961 to all Commissioners/Collectors.

- (v) every Revenue Office should have Visitors' Room.

Mysore

46

The State Government have ordered the creation of a 'cell' for assistance to public in the offices of Secretariat Departments, offices of the Divisional Commissioners/Deputy Commissioners/Tehsildars and unit offices of the District and Divisional levels. The 'cell' is to work under a gazetted officer of the concerned office. The functions of the 'cell' would be to receive and hear petitions/representations of the public and to ensure that prompt replies are sent to the applicants. It has also been laid down that all senior officers including the Deputy Commissioners, should fix definite hours for receiving and hearing petitions from public. They should also receive petitions while on tour.

Instructions have also been issued that :

- (i) all letters, petitions etc. received from the public, barring a few exceptions, should be acknowledged within 24 hours ;
- (ii) an interim reply should go if the final reply is likely to be delayed ;
- (iii) authorities competent to take action should initiate action without waiting for reports of the lower levels,
- (iv) Heads of offices should insist upon action being taken by the authority to whom the power has been delegated and intervention or interference should be avoided ; and

46. Govt. of Mysore, Sectt. circular No. GAD/91/OAC/65 dated 8.9.65

- (v) no meetings should be arranged during the hours fixed for receiving/hearing petitions from public.

Nagaland

The information is awaited.

Orissa

There is no separate machinery at the district or lower levels. Anyone may approach the District Magistrate, Sub-Divisional Officer or the Tehsildar with a complaint and the officer concerned may enquire into it and give relief. If the officer to whom the petition about the grievance is made, does not hear it, the petitioner may approach the higher authorities for relief.
47

Punjab

The machinery in Punjab is by and large the same as in Haryana with the following important modifications :
48

(i) The Director of Grievances does not have an independent existence now, he is a part of the Civil Secretariat.

(ii) The office of the Public Grievance Officer at the Secretariat has been revived. No member

47. Letter No. 22851/Gen/AR-14/66 dated the 12th October, 1965, from the Additional Secretary, Government of Orissa, Political and Services Department, Bhubaneswar to Indian Institute of Public Administration, New Delhi.

48. Letter No. 1141-DG(I)-67/13277 dated 20th June, 1967, from the Director of Grievances, Punjab, to Indian Institute of Public Administration, New Delhi.

of the public can see any officer in the Secretariat Department without obtaining prior permission of this officer. In case any information about a particular case was required, the applicant should give it in writing to the Public Grievance Officer, who will arrange it to be supplied within a week by sending a requisition to the concerned Branch Officer. The Branch Officers are required to supply the information by the specified time, failing which the matter is to be taken serious note of and brought to the notice of the Chief Secretary/Minister-in-charge or the Chief Minister.

- (iii) The Committee at the District level is now named as District Vigilance Committee. It comprises M.P.s., M.L.As., M.L.Cs of the District, President of the Municipality at District Headquarters, Chairman, Zila Parishad and a representative of each political party represented in the State Legislature with the Deputy Commissioner as its Chairman. District Officers attend the meetings when any item concerning them is to be considered.

Rajasthan

At the State level, an office of the 'Director for the Removal of Public Grievances' had been created for dealing with grievances of public and the State Government employees. This office has since been abolished and Departments are now themselves responsible for dealing with complaints pertaining to their respective Departments.

All offices having public dealings are required to have

49. Position ascertained during our visit to the State.

p.....60

adequate facilities for reception and enquiries and also the provision of complaint boxes. Detailed instructions applicable to all Government Offices have been issued for acknowledgement of applications received from the public and for sending replies to M.Ps and M.L.As. A register for public complaints is required to be maintained in each office. A gazetted officer generally receives the applications and gives on-the-spot decisions. Where it is not possible to do so, the matter is referred to the superior authority and the applicant informed of the likely time when he may expect a decision. A time limit has also been fixed for disposal of applications for licences, allotment of land, etc. Monthly returns are required to be submitted, indicating the disposal and pendency of such applications. It has also been stressed that officers should keep a close watch on their subordinates and carry out surprise checks and inspections.

Uttar Pradesh

At the Secretariat level, the State Government have set up a 'Petition Department'. All complaints, applications, addressed to Ministers etc. are required

50. Letter No. F.13(5) O & M/60 dated the 10th November, 1966, from the Cabinet Sectt., Govt. of Rajasthan to I.I.P.A., New Delhi.

to be received in the Petition Department and forwarded to the concerned Departments for necessary action and report, wherever necessary, under advice to the applicant.

At the District level, there is a provision for the appointment of a 'District Complaints Officer' to receive complaints having a bearing on integrity or unseemly behaviour against all classes of Government servants posted in the District. The complaints are then forwarded to the concerned officers for necessary action. In addition, every District office is expected to keep a 'complaint box'.

The State Government have issued general instructions to the effect that :

- (i) all letters or petitions from public should be acknowledged and replied promptly ;
- (ii) an interim reply should go if final reply is likely to be delayed. The petitioner/applicant should be told the reasons in polite language if his request is not granted ;
- (iii) no action should be taken on ~~anonymous~~ or pseudonymous complaints as well as /complaints which are frivolous, scurrilous, deal with petty matters or are written in improper language ;
- (iv) applicants should be advised in case the subject matter of the application is sub-judice or the matter could be decided only in a Court of Law ; and
- (v) a time-limit should be fixed when calling for report from a subordinate authority. The time-limit should be strictly adhered to.

West Bengal

The State Government have issued instructions that for

attending to complaints and grievances of the public :

(i) a 'Complaints Cell' with an officer of the rank of Deputy Secretary as Complaints Officer should be established in every Department/Office at the State level. All complaints pertaining to the Department should be passed on to him through the Head of Department/Office for processing and taking remedial action and the complainant informed of the action taken. ⁵¹

(ii) A responsible officer should be designated as 'Complaints Officer' in every District Office as at the State level. ⁵²

Having had an overview of the existing machinery and procedures for redress of citizens' grievances in various States within the country, we may now have a look at the institution of Ombudsman (or its equivalent) as it has developed in other countries.

C. The Institution of Ombudsman :

The institution of Ombudsman in the context of this study is used in the sense of a body, outside the administrative organisation, to supervise on behalf of the citizens (or their representative bodies, namely, the Parliament or the State Legislatures) the actions and decisions of Administration vis-a-vis the citizens.

51. Circular d.o. letter No. 479-GAC dated the 28th March 1966 from the Chief Secretary, West Bengal, to the Secretaries, etc. of State Departments.

52. Circular letter No. 557(18)-GAC dated the 16th April, 1966, from the Govt. of West Bengal, Home Deptt. (General Admn. Branch) to all District Magistrates/Commissioners of Divisions.

In this sense, it includes, the Ombudsman established in Sweden in 1809 (its predecessor, the institution of the Chancellor of Justice established in 1713), followed by the establishment of Ombudsman in Finland in 1919, in Denmark in 1955, and in Norway in 1962. It also includes the Procuracy in the USSR headed by the Procurator-General, the Conseil d'Etat of France, and the office of the Parliamentary Commissioner for Citizens' Grievances recently instituted in the U.K.

Many other countries have been considering the establishment of a similar institution for redress of grievances of their citizens. The Institution broadly falls under one of the three models - Ombudsman, the Procurator-General or the Conseil d'Etat.

Details of these organisations and their working are outside the scope of our study. Suffice it to say that the systems of Ombudsman or its equivalent have many characteristics in common. The systems by and large, serve as a 'watchdog' of Parliament, though independent of it as well as of Government. They have for their main purpose the supervision and control of Administration and the improvement of the improvement of legislation and administrative processes. The Ombudsman or its equivalent is, as already stated, independent of Government and of Parliament. He has a right of access to official records, to demand explanations from officials, and to suggest to Government or Parliament punitive or remedial action against individual officers or against the systems and procedures. In short, what C.J. Hamson

has said in relation to the system of Conseil d'Etat of France is applicable, mutatis mutandis, to the system of Ombudsman or its equivalent as a whole :

" The basic principle of the recours en annulation has that order of simplicity and universality ; its consequences are cardinal. It gives to the French citizen the right and the power to arraign the administrator in respect of his administrative act - in the literal sense of that word, to bring⁵³ his act to the test of reason.

Within the framework of these common characteristics, there are a number of variations in the composition, character, scope and functions of the Ombudsman or its equivalent in these countries. In some countries, Ministers and Judicial authorities also are subject to the supervisory authority of the Ombudsman. There are also variations in the control over the acts of Civil Administration and the Military Authorities. In some countries, the Ombudsman has the specific right to criticise the wisdom of a decision.

53. C.J. Hamson, Executive Discretion and Judicial Control London, Stevens & Sons Ltd., 1954, p. 48.

Some other countries also have adopted the system of Ombudsman or its equivalent. Newzealand has already adopted statutorily the institution of Ombudsman.

In England, a Parliamentary Commissioner has been appointed, in pursuance of the Wyatt Report (1961), with functions similar to that of Ombudsman⁵⁴, but with certain limitations to suit the British Parliamentary system.

Similarly, some East European countries such as Czechoslovakia, Hungary, Poland and Rumania have adopted the model of Russian Procuracy, and some other European countries notably Belgium, Greece, Cyprus, Austria, Spain and Italy have adopted the model of Conseil d'Etat. The Federal Republic of Germany adopted in 1957 the institution of Ombudsman specifically for military affairs.

54. Considerable body of literature has grown up on 'Ombudsman' or its equivalent in recent years. Mention may be made, among others, of :-

- /the
1. International Commission of Jurists (British Section). The Citizen and Administration. The Report (Chairman: Justice Wyatt) London (1961).
 2. U.N. Seminar on Judicial and Other Remedies against the abuse of administrative authority Stockholm, Sweden (12 to 25th June, 1962).
 3. C. J. Hanson, Executive Discretion and Judicial Control. London, Stevens (1954).
 4. Charles E. Freedman, The Conseil d'Etat in Modern France, New York, Columbia University Press, 1961.

Some other countries have been considering the trans-plantation of Ombudsman. The USA has been considering the adoption of the institution of Ombudsman with a view to supervising 'administrative procedures', an idea to which various prominent individuals and bodies including the first Hoover Commission, have lent their support. Greece, Japan, Canada and India are some other countries that have been seriously considering adoption of this system.

The Administrative Reforms Commission appointed by the Government of India have also considered in great detail the problems of redress of citizens' grievances. They have found the existing safeguards for the citizens and the arrangements for redress of their grievances inadequate and come to the conclusion that India too is in need of an Ombudsman type of institution. In the words of the A.R.C.

(Foot Note contd. from previous page)

5. Dietrich A. Lovber "The Soviet Procuracy and the Individual" Journal of the International Commission of Jurists, Vol. 1, No.1, Autumn-Winter, 1957.
6. W. Rohkhan & Q.C. Pratt, Studies in French Administrative Law, Alabama, Illinois, University of Illinois Press, 1947.

Our study of the institution of Ombudsman in Scandinavian countries and of the Parliamentary Commissioner in New Zealand and of the working of these functionaries convinces us that we can suitably adapt these institutions for our needs.⁵⁵

The A.R.C. have accordingly recommended the setting up of two institutions, to be designated the Lokpal and the Lokayukta. The former will look into complaints against administrative acts of Ministers and Secretaries to Government - at the Centre and in the States. The Lokayukta - recommended one for each State and one at the Centre - will look into complaints against the administrative acts of other authorities. The A.R.C. have also appended to their report the draft bill for the appointment and functions of the Lokpal. The draft bill for Lokayukta can be adapted on these lines.

Summary

The studies done on citizen-Administration relationship in India are very few in number compared to the size of the country and the complexity of the problems of its people. These studies, as was to be expected, have generally focussed their attention on the deficiencies in these relationships and on factors and sources of people's dissatisfaction with the Administration, though occasionally

55.² Administrative Reforms Commission, Interim Report on Problems of Redress of Citizens' Grievances, (October, 1966), p. 8

they ^{also} give glimpses of the bright side of the picture. They provide evidence of certain administrative weaknesses, which continue to persist despite the very useful suggestions made, and instructions issued, from time to time for toning up the bureaucratic apparatus.

A great deal of attention appears to have been paid during recent years to specify measures for speedy and effective handling of citizens' grievances. These measures present a panorama of wide variety, but the question that needs to be examined and answered is : how far have they been helpful in reducing the area of citizens' grievances ? This is the one question to which our study proposes to address itself. Further, if they have not made their impact felt, why is it so, and what more needs to be done in the matter ? For, notwithstanding the institutions of Lokayukta and Lokpal recommended by the A.R.C., it is the Administration that has to bear, and carry out, its primary responsibility of dealing promptly and adequately with the grievances of citizens.

CHAPTER THREE.

Field Investigation and Data Analysis.

A. Methodology and Sampling

(i) Scope of the Study

The purpose of the present study is to explore in depth the existing machinery and procedures prevalent in Government offices for redress of citizens' grievances.

The more important aspects of this study are:

- a) to examine records at the Secretariat, District, Tehsil, Taluka and Block levels and to see how applications, complaints, representations etc. from citizens are handled;
- b) to identify the problem areas;
- c) to identify the relative strengths and weaknesses of the existing machinery and procedures; and
- d) to suggest measures for removing the weaknesses and strengthening the existing machinery and procedures.

(ii) Focus of the study

In our study of the problem, we have refrained from going into the quality of the decision taken, that is to say the merits or demerits of the way discretion has been exercised. In our view the problem of right or wrong use of discretion is of secondary importance to the purpose of our study. Our purpose, chiefly, is to identify the causes, within the administrative systems and procedures, that breed citizens' grievances. With this end in view, we undertook to ^{examine} various kinds of communications

from the citizens - an original request or application, representation or a petition for a review of an earlier decision, etc. We have placed great emphasis on the time factor, that is, the delay in the disposal of a communication from the public. This we have done in the belief that the public would appreciate prompt response and action or decision, even if it is considered wrong or distasteful; for they could then seek remedy through the ways available in a democratic system.

(iii) Sampling and Operational Definitions:

We conducted our study in four States, viz. Orissa, Rajasthan, Andhra Pradesh and Maharashtra. Within each State, a District and within each District, a Tehsil/Taluq and a Block were selected at random for our study. Our study was confined to the Departments of Revenue, Irrigation, Industries, Cooperation and Health. Applications, petitions etc. received from the public, as well as from Government employees in each department/office during the period January to March 1966 were taken up to form the 'universe' of our study. From this as the total sample, we selected, primarily on the basis of diary numbers, about 10 applications in each department/office for examination.

: 87 :
: 71 :

... ..

The applications were examined with the help of a
1
predesigned schedule. The operational definitions given
to some of the terms used in the schedule are as follows:

- a) "Application" refers to any request, complaint, representation, petition, etc. received in a Government office from a citizen or a government employee;
- b) "Final Disposal" means that stage of action where no more action is required on the part of the department/office concerned;
- c) "Non acknowledgeable applications" comprise all forms of written communication which originate from a government employee or a department/office, which are anonymous, that is, where the name or address of the applicant(s) is not legible or is not indicated; or where a reply is likely to be sent within 10 days.

The applications were classified into the following categories according to the time needed for their disposal:

Classification	Maximum time limit in which we thought they are expected to be disposed of
----------------	--

- | | |
|--|--|
| a) Routine and simple (acknowledgement, for information, reminders, asking for/ furnishing papers, application of simple | |
|--|--|

1. A copy of the schedule is given in Appendix III.

rules/precedents

... 15 days²

b) Complex (involving
policy issues,
relaxation of
rules, etc.)

... 30 days³

c) Sub-judice,
criminal offences,
etc.

(They fall outside
the scope of our
study).

(iv) Limitations of the study :

Due to the limitations of time and finance, our study had to be confined to a very small area, and within that area, to a very small sample. Because of the variations in the system of registering applications, the 'sampling frame' was often not readily available. Also, out of the selected number, sometimes an application had to be rejected as infructuous from the point of view of our study. Because of these reasons, the sample selected for study cannot be regarded as 'representative' in the strict sense of the word. Since our present sample

2 & 3. Where other offices had to be consulted, or report had to be called for from lower levels, the normal time for disposal was taken as twice the period indicated above. These time limits, in our view, are rather on the high side in favour of the Administration.

is a "half-way house" between 'random' sampling and 'purposive' sampling; the results of the study may be regarded as indicative of the general trend.

B. Data Analysis :

We studied a total of 435 cases spread over the four States, viz. Andhra Pradesh, Maharashtra, Orissa and Rajasthan. The cases were drawn from all the Departments selected for study at State, District, Taluk/Tehsil and Block levels.

(1) Characteristics of the Applications studied :

The distribution of cases studied in various States was fairly even; Andhra Pradesh and Orissa each representing 27 per cent, Maharashtra 26 per cent and Rajasthan 20 per cent. The number of cases drawn from State and District levels (45 per cent and 43 per cent respectively) was higher than that from Tehsil/Taluk and Block Levels (6 per cent each). This was so because at the former two levels, each Department/office was treated as a unit, while at the latter two levels, the office as a whole was treated as a unit.

4. The terms 'level' or 'area levels' used in this report relate to the State, District, Taluk/Tehsil and Block levels; and not to the hierarchical structure of an Organization.

(i) Nature of Applications :

In the sample studied by us, there is a preponderance of cases which can be termed as simple and routine (64 per cent), complex cases are about half that number (34 per cent), the remaining 2 per cent of the cases were those of judicial or quasi-judicial nature.

When we relate the nature of these applications to departments and/or levels for a comparative study, some interesting features come to light (Table 3.1 and 3.2).

Table 3.1.

Nature-wise requests/petitions received by various departments(%)

Nature of Appli- cations	Revenue	Co- opera- tion.	Health	Indus- tries	Irri- gation	Develop- ment (Block level only)	Total
Complex	38	40	37	10	50	8	34
Simple & Routine	62	60	58	90	46	92	64
Others.	-	--	5	--	4	-	2
	100	100	100	100	100	100	100

(N=435)

There is an appreciable variation in some cases and similarity in others as far as the percentage of complex cases received in various departments is concerned. Half the applications received in the Department of Irrigation

are complex; while the number of complex applications is only one-tenth of the total received in the Industries Department. The number of complex applications received in the Health, Revenue and Cooperative Departments is about two-fifths of the total in each Department (37-40 %).

Table 3.2.

Nature-wise requests/petitions received at various Area Levels (%)

<u>Nature of applications</u>	<u>State level</u>	<u>District level</u>	<u>Taluk/Tehsil level</u>	<u>Block level</u>	<u>Total</u>
Complex	41	31	25	8	34
Simple & Routine	57	67	75	92	64
Others	2	2	-	-	2
	100	100	100	100	100

(N=435)

Table 3.2. reveals that the number of complex cases declines perceptibly as one goes down the area levels. In our sample the percentage of complex cases at the State level was 41, at the District level 31, and at the Taluk/Tehsil level 25 and at the Block level eight. This would possibly explain the need for personnel with better competence and greater efforts for disposal of cases at higher area levels, for it is the complex cases that are assumed to form the hard core of the problem.

(ii) Channels through which applications are received:

Many officers seemed to entertain the feeling that people would rather send their applications to Ministers than to the officers who are nearer them and are really concerned with action on their applications. Some others felt that people endorse their applications, as a matter of routine, to Ministers. The extent of these feelings is not, however, borne by our sample in any of the States, as is evident from Table 3.3.

Table 3.3.
Distribution according to the channel through which applications are received. (%)

Channel	Orissa	A.P.	Rajasthan	Maharashtra	Total
Directly by Department.	63	61	58	62	61
Through Ministers	18	21	24	15	19
Through higher levels of Administration.	17	12	4	14	13
Others (M.Ps., M.L.As.)	2	6	14	9	7
	100	100	100	100	100
	N(95)	(100)	(67)	(105)	(367)

In Chapter One we made a mention of the feeling entertained by many officers that people send their applications simulataneously to different levels of adminstration;

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and in many cases only to the higher political levels. Our data suggest that 19 per cent of the total applications were received through ministers and 7 per cent through M.Ps., M.L.As. etc.- comprising about one-fourth of the total lot. It may not appear to be a high figure statistically, but its implications appear to be quite serious. Does it imply that the citizens rely more on their political representatives for everything they want done by the administration than on the administrators themselves? How much it leads to political interference in day to day administration is a question to which our data have no answer; but the question is worth further consideration.

While official feelings in this matter appear to be somewhat exaggerated, there is need for further enquiry whether it was really necessary for the citizens to submit their applications through the Ministers. It is also worth noting that the percentage of applications submitted through Ministers is lower in Maharashtra than in any of the three other States, though only in Maharashtra, a District is formally allotted to each Minister. Our study, confined as it was to a limited number of issues, has no explanation for this phenomenon; but we feel that a further probe into the reasons that motivate a citizen to submit his application to Minister will be worth while the effort.

(iii) Issues raised in the application :

Half the applications received from the public, including the institutions, contained requests to Government for one or other services or sanctions and the other half comprised complaints. Two-thirds of the 'requests' consisted of prayer for grant of specific services, facilities, permits, etc. and one-third for specific sanctions like release of share funds. Of the "complaints", about half the number pertain to non-provision of supplies/facilities, or to discriminatory treatment, harassment, rude behaviour, etc; and the other half pertain to corruption, improper practices, mis-use of power and appeal against Government decisions/transactions.

The issues raised in the applications from Government employees relate to a heterogeneous lot, more or less equally divided. These relate to "request" and "complaints" on matters connected with their service, for example, requests for provision of specific services, requests for payment of arrears, complaints about service matters, complaints about non-payment of arrears, and appeal against decisions.

2. Procedural Profile of cases studied :

Citizens' grievances are often attributed to procedural deficiencies and hurdles. The main procedural issues involved in the handling of applications from the citizens are : the way in which the applications are diarised, the extent to which they are acknowledged, the way they are handled by officers in each stage, the total time taken for their disposal, etc. In this section, it is proposed to study these procedural aspects with a view to locating the comparatively more weak and vulnerable areas.

(i) Diarising of Applications :

Ninety-seven per cent of the applications examined by us are diarised (registered) in Offices (Table 3.4)

Table 3.4.

Was the Application diarised in the dealing Section (%)

	<u>Percentage</u>
Yes	97
No	3
	<u>100</u>
	N= 435

In comparison with the large number of applications which are diarised, the number of applications which are not diarised is quite small (only 3 per cent), but considering

the importance of diarising, even this small percentage seems to be quite serious.

(ii) Register for diarising of applications :

A very large number of applications (90 per cent) are diarised in the General Register, that is to say, along with the other communications; 5 per cent are diarised in the Petitions/Complaints Register and 2 per cent in both (Table 3.5)

Table 3.5.

Type of Register in which applications are diarised

<u>Type of Register</u>	<u>Percentage</u>
General Register	90
Petition/Complaint Register	5
In both	2
Not diarised in any register	3
Total: <u>100</u>	
N = 435	

In as much as the follow-up or scrutiny of applications becomes difficult when their registration is mixed up with communications of a heterogeneous nature, the fact of their not being diarised in a separate petition/complaints register may possibly be one of the factors

contributing to delays. It will, therefore, be useful to ensure that all applications from the public are diarised in a separate petition register.

(iii) Acknowledgement of applications :

We have already said that all application received from Government servants are non-acknowledgeable.

Applications from the public to which reply is expected to be sent within ten days of their receipt are also non-acknowledgeable. Excluding these two categories,

we find that the number of acknowledgeable and non-acknowledgeable applications is almost equally divided.

However, if the applications of Government employees are excluded from this sample, the number of acknowledgeable applications would be greater than that of non-acknowledgeable applications.

Table 3.6.

Acknowledgeable and non-acknowledgeable applications

	<u>Percentage</u>
Acknowledgeable	51
Non-acknowledgeable	48
Not clear	1
	<u>100.</u>

N = 435

Our next enquiry was how many of the acknowledgeable applications were actually acknowledged.

Table 3.7.

How many applications were actually acknowledged (%)

	Percentage
1. Acknowledged	30
2. Not-acknowledged	70
	<hr/>
	100
	<hr/>
	N = 221

Table 3.7 would indicate that, of the acknowledgeable applications, a little less than one-third are actually acknowledged.

This seems to be a fairly serious matter, for even if action is initiated by the Government Departments on such applications, the citizens, who send them, are likely to go about with the impression of official apathy. Non-acknowledgement of applications constitutes a deplorable communication gap which can, and should be filled up so as to improve the image of administration in the eyes of the people.

The Governments of Andhra Pradesh, Maharashtra and Rajasthan have issued specific instructions that the applications, petitions, etc. submitted by the public

should be acknowledged. Has it made any difference in the matter of acknowledgement of applications by these States as compared with Orissa, which does not seem to have issued any specific instructions in this regard?

Table 3.8. would show that it has not, for the highest percentage of the applications acknowledged is scored by Maharashtra (46 per cent), followed second by Orissa (38 per cent). These two States, one which has issued specific instructions, and the other which has not, stand at a closer level while the other two States - Andhra Pradesh (17 per cent) and Rajasthan (10 per cent) - score far less, even though both of them have issued specific instructions for acknowledgement of applications.

Table 3.8.

State-wise acknowledgement of applications (%)

	Orissa	Andhra	Rajas- than	Maharash- tra	Total
Acknowledged	38	17	10	46	29
Not acknowledged	62	83	90	54	71
	100%	100%	100%	100%	100%
	N=55	N=63	N=40	N=63	N=221

Rush of work and/or large number of applications were mentioned as the reasons for non-acknowledgement of applications from the citizens. Generally speaking, a standardised acknowledgement form should not take more time

than the diarising of an application. If time can be found for diarising as many as 97 per cent of the applications, there is no reason why they cannot be acknowledged. The real reason for non-acknowledgement of applications appears to us to be that habit of doing so is not yet so well-established as the habit of diarising of applications.

(iv) Handling of applications by Officers in Dak Stage:

5

The procedure generally provides that the incoming

4. The exact instructions - as far as they could be ascertained in various states visited by us are as follows:

i) Andhra Pradesh

The Assistant Secretary will study the tappal (papers and files in dak stage), record his instructions and also dictate the final or draft replies wherever possible... (The Andhra Pradesh Secretariat Office Manual, 1963, p. 8)

ii) Maharashtra :

The Branch officer (in the Secretariat) will -

- a) go through the Tappal as soon as it is received from the Branch or registry;
- b) initial every receipt in token of his having seen it;
- c) ...
- d) retain receipts which he would like to handle personally without the assistance of the office, and
- e)

(Maharashtra State; Manual of Office Procedure for Secretariat Departments, 1963, p 8).

iii) Orissa

After going through the contents of a communication (in dak), the officer should, where necessary, record briefly an order indicating the action to be taken, considering the urgency and importance of the correspondence... (Government of Orissa, The Orissa Records Manual 1964, p. 14)

applications should be submitted to officers in dak stage. One should normally expect that as many of the applications as possible should be disposed of by officers themselves. (The Manual of Office Procedure in the Government of India and in some States specifically provides for this, the aim being to speed up disposal by reduction of handling levels and elimination of unnecessary and excessive noting at various levels.)⁶ In fact, the latest innovation, namely, the officer-oriented system is an extension of this principle.

Our data suggest (Table 3.9) that a large number of applications (86 per cent) are submitted to officers in dak stage, but only a small number (8 per cent) are disposed of by the officers themselves. Instructions for action are given on nearly two-fifths of the applications and almost an equal number are merely initialled.

6. The tendency towards what Lord Curzon calls "the main abuse and scandal of the present system of noting" still seems to persist, a system "under which everybody from a clerk to a member of Council paraphrases, initials, notes or recommends and is handed down to posterity... so that in the wilderness of diverse opinions, its original proportions and point are lost to view..." (From the minute on "Reforms in the system of Noting" recorded by Lord Curzon on May 24th, 1899, vide the Indian Journal of Public Administration, Vol. XII, No. 3., July-September, 1966, pp. 656 - 72. The particular quotation is from page 664).

Table 3.9.

Handling of Applications in Dak Stage (%)

	<u>Complex</u>	<u>Routine- Simple</u>	<u>Total</u>
Merely initialled	37	41	40
Instructions given for action	45	36	38
Directly disposed of	5	9	8
Not seen at all	11	11	11
Not ascertained/ not clear	2	3	3
	<u>100</u>	<u>100</u>	<u>100</u>

N = 435

Table 3.10 shows the details of action taken in dak stage by officers at various area levels.

Table 3.10

Handling of Applications in Dak Stage by officers
at various Area Levels (%)

	<u>Level</u>				
	<u>State</u>	<u>District</u>	<u>Tehsil</u>	<u>Block</u>	<u>Total</u>
Merely initialled	41	42	36	23	40
Instructions given for action	37	41	32	35	38
Directly disposed of	5	5	21	27	8
Not seen at all	14	7	11	15	11
Not ascertained/ not clear	3	5	-	-	3
	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
	N(194)	(187)	(28)	(26)	(435)

According to table 3.9 only 9 per cent of the simple-routine applications are disposed of by officers in dak stage, though they form 64 per cent of the sample (cf. p. 74). Similarly, the number of cases directly disposed of at various area levels is disproportionately small as compared with their total number- 5 per cent each disposed of at State and District levels, though the simple-routine cases above form 57 per cent and 67 per cent respectively of the total sample at these levels, 21 per cent of such cases disposed of Block level against three-fourths of the cases being routine-simple, and 27 per cent of such cases at the Block level are disposed of by officers against the total sample comprising preponderantly (92 per cent) routine-simple cases (c.f. p 75)

Table 3.9 would seem to suggest that the nature of applications - routine-simple or complex - hardly makes any difference as far as disposal by officers in dak stage is concerned an inference which seems corroborated by Table 3.10. However, Table 3.10, seen with Table 3.2, would show another, and possibly contradictory trend, namely that the percentages of routine-simple cases and of direct disposal go on rising as one goes down the area level. It would appear that the larger the number of simple-routine cases the higher the proportion of direct disposal by officers. Paradoxical though it may seem,

the two propositions appear to contain a contradiction. We have seen that the percentage of simple-routine cases at all area levels is fairly high; and so the percentage of direct disposal by officers also should be high for all area levels. The question arises: why is it that the percentage of direct disposal of applications by officers is low at higher area levels as compared with that at the lower area levels? As we shall see a little later, (page 93) delays occur both at the level of officers and that of the lower staff. Conversely, speedy disposals also occur at both the levels - a factor relevant to the proposal for switch-over to the officer-oriented system.

Table 3.11. would show the State-wise comparison of action taken by the officers in dak stage. The percentage of cases disposed of by the officers in Orissa is the highest (16 per cent) followed by Rajasthan (7 per cent), Andhra Pradesh (5 per cent) and Maharashtra (3 per cent).

Only the State of Rajasthan has provided in its instructions that applications from the public should normally be received by a gazetted officer and if an immediate decision could be taken in the matter, it should be done and intimated to the applicant on the spot.

any
No such instructions seem to have been issued by other
State in our study, including Orissa; and yet it is
in Orissa, where a relatively larger (16%) of applications
are disposed direct by officers as compared with the
rather small number in other states (7% and below).

Table 3.11

	Orissa	A.P.	Madhyas- than	Maharash- tra	Total
Merely initialled.	37%	35%	32%	54%	40%
Instructions given for action	39	47	57	14	38
Disposed of by officer himself	16	5	7	2	8
Not seen by officer at all	4	13	3	22	11
Not clear	4	-	1	8	3
	100%	100%	100%	100%	100%
N =	(117)	(119)	(85)	(114)	(435)

It appears that it is not so much the formal issue of
instructions - important though it is - that helps
towards easing of a problem as is the quality of human
element as well as the degree and quality of supervision.

This view, however, is nothing more than mere surmise
unsupported by empirical evidence; at best it is an
extension of the behavioural theory of administration,

to which we drew attention in the early stages of this study. The phenomenon needs, as already suggested, a deeper probe through further studies.

Table 3.9, 3.10 and 3.11. then lead us to three, though somewhat paradoxical propositions in respect of disposal of cases direct by officers. To recapitulate them once again, these are :

- i) As far as disposal by officers in dak stage is concerned, it hardly makes any difference whether the application is routine or simple;
- ii) the larger the number of routine and simple cases, the higher the proportion of direct disposal by officers; and
- iii) the issue of instructions for direct disposal in dak stage is not much help, unless other conditions favourable to this phenomenon exist, or are created.

The factors underlying these rather paradoxical propositions seem to be so deep-rooted that they would need a more elaborate investigation for their identification and remedial action. This seems to have a greater urgency and importance in the context of the increasing favour being bestowed upon the officer-oriented system. Even considered independently on its own merits, a deeper probe into this problem might prove well-worth the effort, for it might provide the key to quick disposal of applications by

officers themselves, the bulk of the applications, being as they do, of routine-simple nature.

(v) Delays.

a) According to nature of cases

Of all the problems having a bearing on redress of citizens' grievances, the most significant and pernicious problem seems to be that of delays. Our data show that delays occur in all the departments and at all levels.

Delays also occur in the case of applications received directly by departments, through Ministers, through higher levels of Administration, through lower levels of Administration and through others like MPs, MLAs and Presidents of other Institutional bodies.

Table 3.12 would give an idea of the amount of delay in relation to the cases classified as complex and as routine-simple. Only one-fourth of the applications are disposed of in the time regarded as normal. Delay occurs in the remaining 75 per cent of the cases - about one-eighth of the applications are disposed of in beyond the normal time but in less than one month, one-fifth in between 1 and 3 months about 1/8th each in between 3 - 6 months, 6 to 9 months and 9 to 12 months, while one-tenth of the cases hang on for over a year. Delays occur both in the case of complex applications and routine and simple

ones. Delay to some extent is understandable in the case of complex cases, and for this reason, we had provided for a longer period as normal to the disposal of complex cases.

Table 3:12

Time taken for disposal in relation to nature of cases

	<u>Complex</u>	<u>Routine- Simple</u>	<u>Others</u>	<u>Total</u>
Time taken normal	9	33	14	25
<u>Not normal & amount of delay</u>				
Less than 1 month	10	13	-	12
1-3 months	19	18	43	19
3-6 months	21	8	-	12
6-9 months	17	7	14	10
9-12 months	12	11	-	11
More than 1 year	11	8	-	9
Not ascertained	1	2	29	2
	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>
	(N=147)	(N=281)	(N=7)	(N=435)

Nevertheless, the above table would show that only 9 per cent of the complex cases are disposed of in time; 10 per cent are disposed of in less than one month, 19 per cent in between 1 to 3 months, 21 per cent in between 3 to 6 months,

17 per cent in between 6 to 9 months, 12 per cent in between 9 to 12 months and 11 per cent carry on for more than a year. The delay in the case of complex applications is highly inordinate and would seem to call for special attention and vigilance.

That one-tenth of the complex applications are disposed of within normal time-limit would give one the hope that even complex cases can be disposed of expeditiously. But the distressing feature of the above table is that only one-third of the simple and routine cases are disposed of in the normal time. The remaining two-thirds are delayed, the amount of delay being :

i) 13 per cent for the cases disposed of later than in the normal time but in less than a month,

ii) 18 per cent are disposed of between 1 to 3 months,

iii) 8 per cent disposed of between 3 to 6 months,

iv) 7 per cent disposed of between 6 to 9 months,

v) 11 per cent disposed of between 9 to 12 months, and

vi) 8 per cent hang on for over a year.

It is absolutely difficult to see why routine and simple cases should lie pending at the most, for more than a month. The large number of simple and routine cases delayed beyond a period of one month proves that

it is not merely the complexity of rules and procedures that lead to delays : obviously, laxity of administration and supervision, lack of interest and of spirit of responsibility, lack of sensitivity towards public interest may be some of the other important contributory factors.

(b) Delays at various Area Levels :

Table 3.13 indicates the distribution of delay in the disposal of cases at various area levels.

Table 3.13

Delays at Area Levels (%)

	<u>State Level</u>	<u>District Level</u>	<u>Tehsil Level</u>	<u>Block Level</u>	<u>Total</u>
Time taken normal - no delay	14	29	46	50	25
<u>Not normal & amount of delay</u>					
Less than 1 month	8	13	25	15	12
1 - 3 months	22	17	11	19	19
3 - 6 months	11	15	7	8	12
6 - 9 months	15	7	4	8	10
9 - 12 months	18	8	-	-	11
More than 1 year	12	7	7	-	9
Not ascertained	-	4	-	-	2
	100	100	100	100	100
	N(194)	(187)	(28)	(26)	(435)

According to this table, 34 per cent of the cases received at State level are disposed of in normal time, the percentage for District level being 29, Tehsil level 46 and Block Level 50. This table would show that the extent of delay goes on decreasing as one goes lower down the area level. We can look for the possible explanation of this phenomenon in three directions :

i) The proportion of simple and routine cases is greater at the lower levels (Table 3.2);

ii) The officers themselves directly dispose of a large number of applications as compared with those at higher levels, thus taking less time than would otherwise be the case (Table 3.10); and

iii) a small number of cases, if any, is referred to the lower and subordinate offices by the officers at the Tehsil and Block levels.

The explanations at Serial Nos. 1 and 2 above do not seem to be tenable. As we have already seen (Table 2.13), delays occur both in the case of complex cases as well as in the case of simple and routine cases. As we shall see a little later (Tables 3.15-3.18), delays occur both at the hands of the lower levels of staff and higher levels, though their degree is not the same, and therefore, the explanation at serial No. 2 also does not offer any help. The explanation at serial

No. 3 seems to have more substance in it, because delays in subordinate offices coupled with lack of power are one of the major contributory causes of delay (vide table 3.15-3.18). The hypothesis we can draw then for further study is this : One of the major causes of delays may be the inter-departmental references. Therefore, what probably needs to be done is to make inter-departmental/office references only when absolutely necessary, to make a simultaneous reference (if more than one office is to be consulted), to make a complete reference listing all the points on which consultation is to be done and to tighten up the control over subordinate offices.

(c) State-wise delays :

The Government of Rajasthan have specified time-limits in certain cases for disposal of applications. The Government of Andhra Pradesh have specified the number of days for initiating action on a case. The Government of Maharashtra have laid down that the Assistant Secretary, should himself supervise the disposal of the case at every stage and see that no avoidable delay occurs, that every application marked 'urgent' is submitted by the Branch or Section dealing with it within a week of its receipt. The Government of Maharashtra have also laid down that if any matter requires to be seen and considered

by more than one Department of the Secretariat the papers should not be tossed for several days or weeks from one department to another, but they should be disposed of within a week ordinarily by discussion between Secretaries, and Deputy Secretaries. Orissa does not appear to have issued any instructions in regard to the time limits for disposal of applications. Have these instructions made any impact on the speed of disposal of cases?

Table 3.14
State-wise delays (%)

	Orissa	A.P.	Rajasthan	Maharashtra	Total
Time taken normal	33	11	29	25	25
<u>Not normal and amount of delay</u>					
Less than 1 month	8	11	8	19	12
1 - 3 months	14	16	17	29	19
3 - 6 months	14	18	11	7	12
6 - 9 months	9	16	8	7	10
9 - 12 months	15	10	14	7	11
More than 1 year	4	18	9	4	9
Not ascertained	3	-	4	2	2
	100	100	100	100	100
	N=117	N=119	N=85	N=114	N=435

Table 3.12 would show that specifying time limits has not made any significant impact on the speed of disposal. Though the percentage of applications disposed of in time considered normal by us is low

in all the four States, it is the highest in Orissa a State which has not specified time limits for disposal of applications. On the contrary, Rajasthan and Maharashtra, which have specified the time limit, score very high (29 per cent and 25 per cent) as compared with Andhra Pradesh (11 per cent); though Andhra Pradesh too have specified the time limit beyond which a case should not be kept pending by any official. This would seem to point to the need for probing these phenomena further with special reference to the role of morale and motivation of the personnel involved at all heirarchical levels.

Reasons for delay according to Area Level

In matters like ascertaining the reasons for delay, the file as a source of information (as in our study) is much less communicative than is a face-to-face interview with individuals. In such a situation all that we could get in cases of delay was where a delay occurred : the why and how of it was not generally ascertainable from the file. Therefore, the four reasons that we could adopt for our enquiry were: (1) Delays at the level of Section Officer/Superintendents or their staff; (2) Delay at levels above that of the Section Officer/

Superintendent; (3) Delay in subordinate offices asked for reports/comments and (4) others. The responses were permitted to be multiple in-nature i.e. each application could theoretically yield a maximum of four reasons. Hence the figures in Tables 3.15 to 3.18 should be taken to mean percentages in relation to the total number of reasons recorded and not to the total number of applications examined.

Table 3.15.
Reasons for Delay at State level %

Level	Reasons for delay	Less than 1 month	1 to 3 months	3 to 6 months	6 to 9 months	9 to 12 months	More than 1 year	Total
SA	Delay at lower levels-S.O. & below	24	19	14	17	9	9	15
	Delay at higher levels	4	13	14	11	8	9	10
	Delay in subordinate offices asked for report/comments	48	38	64	50	60	53	52
	Lack of follow-up action		3	2				
	Other institutional factors	24	30	8	22	23	29	23
		100	100	100	100	100	100	100
	No. of reasons	(29)	(67)	(49)	(50)	(66)	(45)	(306)

: 100 :

Table 3.16

Reasons for delay at District level (%)

Level - Reasons for Delay	Less than 1 month	1-3 months	3 to 6 months	6 to 9 months	9 to 12 months	more than 1 year	Total
1	2	3	4	5	6	7	8
Delay at lower levels - S.O. & below	32	17	17	19	22	19	20
delay at higher levels	11	15	13	11	8	19	13
Delay in subordinate offices asked for report comments	27	51	38	51	59	43	45
Lack of follow-up action							
Others	30	17	32	19	11	19	22
	100	100	100	100	100	100	100
Number of Reasons	(37)	(59)	(47)	(37)	(27)	(27)	(234)

Table 3.17

Reasons for delay at Tehsil/Taluk level

1	2	3	4	5	6	7	8
Delay at lower levels - S.O. & below	20	13	-	-	-	-	11
Delay at high levels	-	13	-	-	-	-	3
Delay in subordinate offices asked for report/comments	33	62	50	100	50	100	57
Lack of follow-up action							
Others	47	12	50	-	50	-	29
	100	100	100	100	100	100	100
Number of Reasons	(15)	(8)	(4)	(3)	(2)	(3)	(35)

on the basis of the above data, the following table is prepared:

Table 3.18 Reasons for Delay at Block Level

Level - Reasons for Delay	Less than 1 month	1 to 3 months	3 to 6 months	6 to 9 months	9 to 12 months	More than 1 year	Total
Delay at lower levels- S.O. & below	25	7	17	29	(1)	-	16
Delay at higher levels	-	-	17	29	-	-	13
Delay in subordinate offices-asked for report/comments	-	14	16	42	-	-	19
Lack of follow-up action	-	-	-	-	-	-	-
Institutional factors	75	72	50	-	-	-	52
	100	100	100	100	-	-	100
Number of reasons	(4)	(14)	(6)	(7)	-	-	(31)

The above tables would show that:

- i) delays occur both at the lower hierarchical levels (the level of the Section Officer/ Superintendent and below) and at higher ones (above the Section Officer);
- ii) that the extent of delay at the lower levels is slightly greater than that at the higher levels; and
- iii) that the major contributory causes of delay are delays in subordinate offices combined with lack of follow-up action.

These findings would seem to have some implications against the introduction of officer-oriented system which assumes that delays occur only at lower hierarchical levels.

3. Other related problems :

(i) Personnel Problems

Big Organisations-our administrative organisations have grown quite big on account of the growth in developmental services and activities - work on the principle of division of functions. Work Division and specialisation increase inter-dependencies and accentuate the problem of coordination. In this sense the machinery and procedure for redress of citizens' grievances at the State level as well as at the lower levels is a part of, and is influenced by, the total administrative set-up; hence its consideration in isolation from other related aspects is likely to give a distorted and possibly misleading picture. We, therefore, propose to discuss personnel and other related aspects of the problem with a view primarily to bringing out a proper perspective and drawing attention to what was re-presented to us by the officers in the course of our interviews with them.

We have seen (Table 3.12) that delay in disposal of applications forms the crux of the problem. Various

reasons for delays were advanced to us by officers.. Opinion was, however, divided on the extent to which the inadequate calibre of the office staff was responsible for this delay. Some officers felt that personal deficiencies of officials at these levels made a very minor contribution to the totality of delays occurring in the disposal of applications/petitions, while the others felt these formed a major contributory cause for delay. Some officers also mentioned lack of knowledge of rules and regulations, insubordination, lack of fear or responsibility as factors contributing to delays.

In this context, we tried to get an idea about the educational qualifications, mode of recruitment, length of service, in-service training, work-procedures and feelings of the ministerial staff in as much as these might have a bearing on the way applications are handled in Government offices. In the offices visited by us, we interviewed, on the basis of a structured

7. This question, to our mind, is very important; for even if the indifferent workers are small in number, their very presence seems to act as a drag on efficiency. As Best puts it: "It is an immutable fact that the best system, the most advanced legislation, or the most efficient administrator is often no better than the weakest employee working in the organisation." - J.C. Best, "Management and Staff Relations in Public Services", Canadian Public Administration, Vol. IV, No.2, June 1961, p. 169.

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Schedule, a Superintendent and a dealing hand. The total number of persons interviewed was one hundred and eleven (111). The evidence collected by us indicated the following trends :-

- i) About two-fifths of the staff are matriculate. Those who are matriculate and above are in an overwhelming majority, while under-matriculates are only one-twentieth of the total staff;
- ii) The number of those recruited through competitive examination and those recruited direct is almost equal;
- iii) About four-fifths of the staff have put in a service over 10 years. About one-third of the total staff have put in more than 20 years of service, and one-twentieth have put in less than five years;
- iv) An overwhelming majority of the staff said that they have had no training with special reference to the handling of public grievances, only three per cent of them said that they have had such training;
- v) A large majority of staff said that Departmental Manuals/Rules and Instructions for their present job were available, only one-tenth of the staff had either no idea or they said that Manuals etc. were not-available;
- vi) about half the staff said that they made use of the Manuals. Two-fifths said that they did it to some extent and the remaining one-tenth that they made no use of it;
- vii) About three-fourths of the staff said that statement of pending cases is prepared;

8. A copy of the schedule is given in Appendix IV.

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(viii) Only one-third of the staff said that there were incentives for good work;

ix) About one-half of the staff said that bad work is tolerated by officers (to great or small extent); and one-thirds said that it is not tolerated; and

x) Three-fourths of the staff said that the work-load was heavy or very heavy and the rest said that it was normal.

The number of higher officers who complained to us of heavy work-load through wastage of their time in infructuous work, meetings, conference, etc. was also quite large. We, therefore feel, that the problems of work-load and efficiency of staff need to be examined in detail through another study with an eye on more progressive personnel policies and more enlightened human approach.

The proposed study should focus attention on such aspects as better recruitment policy, helping employees prepare for a position of higher responsibility through training and guidance, greater opportunities for promotion and employee-morale and motivation, etc.

We have mentioned earlier (pp. 10 - 11) that Government employees too have their grievances, often genuine ones, and that matters relating to their appointments, removals, pay, discipline, superannuation or other personal matters are outside the purview of the proposed institutions of Lokpal and Lokayukta. While reasons for this are understandable, it is for consideration whether applications etc. of Government employees pending for more than one year should

not be brought within the perview of these institutions in so far as delays, as distinct from merits of the case, are concerned.

While a substantial number of staff and some officers complained of heavy work load, the opinion about the adequacy and efficacy of the present O & M Organisation was divided; some even said that the O & M authority had never visited their offices. We, therefore, feel that the O & M Organisation needs to be strengthened and regular inspections and work-study need to be carried out in all offices with a view to improving work procedures, eliminating infructuous work and achieving greater work-productivity. We feel that the time-limits, suggested by us in Appendix VII, are quite realistic; but we fear that they may not be adhered to, or enforced, unless the staff concerned at all levels is helped in a constructive spirit as suggested in our above mentioned recommendation. At the same time, a scale of penalties like warnings, adverse confidential's etc. should be laid for chronic defaulters; just as a scale of incentives, like letters of appreciations, prizes etc. should be laid down for consistently good workers.

ii) Rules, regulations and Manuals :

The Rules, Regulations and Manuals of present 'Independence' Administration constitute a link between the past 'Police' Administration and the present 'Developmental'

Administration. Rules and Regulations always suffer from a certain deficiency in as much as they cannot foresee all eventualities of a situation for which they are framed. The deficiencies become much more glaring when the situation changes, as it did after Independence.

No wonder that the rules were amended every time a new or un-anticipated situation presented itself and in every

Manual we have an accumulated heap of amendments or 'correction' slips, (that is, if they are posted at all),

and the Manual presents a confusion in which the staff and officers find it difficult, if not impossible, to find

their way - and this is a time-consuming process. The

plethora of new legislation and of correction slips and

the obsolescence of the Manuals were said to be the main

reasons for the complaints that the rules and regulations

were often not followed by the staff and the officers

were ignorant of rules and regulations.

Simplification of Manuals and bringing them up-to-date in

a consolidated manner and preparation of one where none

exists, need urgent attention. The time, effort and

money, spent on this work, will, in our view, pay rich

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9. As one Collector put it: There are 800 pages of the Revenue Code and it is not up-to-date. Why can't it be reduced to 200 pages and brought up-to-date?

dividends : it will save the precious time and effort of thousands of other administrative functionaries, and ensure more judicious application of rules by reducing the chances of wrong decision/action taken on account of ignorance or non-availability of rules.

(iii) Public Relations Officer :

It was suggested to us by many officers that the Public Relations Department mainly concerns itself with publicity of some of the things that have been undertaken by the Government. Other aspects of public relations are neglected. In a broad sense, public relations encompasses all aspects of relationship between the Administration and the Citizen.

Public Relations Officers attached to various offices can play a very useful, educative and reformatory role ; they can widely publicise the new legislative amendment, new orders and policy, decisions of Government and can suggest various measures for bringing the citizens and the administrators nearer to each other. While it should not be a part of the duties of the Public Relations Officer to deal with citizens' grievances, the objectives of this office should be :

- a) to keep people informed of the policies and programmes of Government;

- b) to educate people regarding their rights and responsibilities, and
- c) to watch the reaction of the citizens towards Government policies and programmes and to keep the Government informed of it.

SUMMARY

We may now sum up the main findings resulting from our data analysis. Most of the applications from citizens are diarised, but the diarising is done in the general register. The result is that they get mixed up with other communications received in the office. Proper follow-up becomes difficult; and lack of follow-up, as we have seen, is one of the major contributory causes of delay.

The number of simple-routine applications is larger than that of complex applications. However, the nature of applications - simple, routine or complex, hardly makes any difference as far as action by the officers in each stage is concerned; for the percentage of cases disposed of by the officer himself is low for both simple-routine and complex type of cases. Another, and rather contradictory trend is, that the percentages of simple-routine applications as well as of direct disposal by officers progressively increase as one goes down the area levels. These findings, together with another finding, that cases get delayed both at the level of the

Assistants and Section Officers and of the higher officers, would point to a partial ineffectiveness of the officers in the speedy handling of citizens' applications. The problem of delays is heightened by the fact that even the simple-routine cases are considerably delayed, a phenomenon for which there can be no logical explanation except that of an administrative sluggishness, bordering on paralysis.

Any scheme for reforming the present machinery and procedures for redress of citizens' grievances must take into account, and be related to, these basic findings.

CHAPTER FOUR

CONCLUSIONS AND SUGGESTIONS

A. The Gist of our findings:

We have by now a general idea of the main characteristics of our sample and of the procedural deficiencies that beset the handling of applications from citizens. To recapitulate, the more prominent characteristics of our sample are:

- (i) there is preponderance of simple-routine cases (64%);
- (ii) the number of complex cases declines perceptibly as one goes down the area levels; and
- (iii) only 19% of the applications in our sample were received through Ministers and 7% through M.Ps., M.L.As. etc.

On the procedural side our data suggest that:

- (i) the bulk of the applications (97%) are diarised (in a general register);
- (ii) of the acknowledgeable applications only about one-third are actually acknowledged;
- (iii) a large number of applications (86%) are submitted to officers in Dak stage, but only a small number (8%) are disposed of at that stage by the officers themselves;
- (iv) only one-fourth of the applications are disposed of in time regarded as normal, the rest are delayed beyond the normal time;
- (v) only one-third of the simple-routine cases are disposed of in normal time, the remaining two-thirds are delayed;

- (vi) the extent of delay goes on increasing as one goes lower down the area level;
- (vii) one of the major causes of delays appears to be the inter-departmental references;
- (viii) specifying the time-limits for disposal of applications has not made any significant impact on the speed of disposal; and
- (ix) it is not merely the complexity of rules and procedures that lead to delays: laxity of administration and supervision, lack of interest and of spirit of responsibility, lack of sensitivity towards public interest may be some of the other important contributory factors.

We have suggested in the course of the interpretation of our data certain issues that need a further and deeper study. We have also suggested there a few ad-hoc remedial steps for removal of the deficiencies revealed by our data. However, before proceeding further for drawing up a comprehensive picture of our suggestions for dealing with the problem in its totality, it would be worth-while to delineate a few principles that have guided our general approach to the problem within the framework of our aforesaid findings.

B. The Guiding Principles:

The aforesaid characteristics and general deficiencies of our sample provide the ground in which to look for ways and means of improving the machinery and procedures of governmental organizations which have to deal with applications from the public. They also furnish the background for developing our general approach to the whole problem. A part of this approach derives from our discussion on theoretical and

discussed ideological concepts/in the beginning of this report (pages 2-19). We referred there to the dilemmas and paradoxes that beset modern organizations to the democratic goals and values enshrined in our Constitution with their emphasis on the dignity of the individual, to the complexity and obsolescence of present Rules and Procedures including the general non-availability of Manuals and Rule-books; to the ills attributed to bureaucracy in general and to the need for ensuring redress of grievances of individual Government employees. There are, in addition, a few other principles or elements of our approach which we might define before we proceed to offer our suggestions for strengthening the machinery and procedures for redress of citizens' grievances.

(1) Systems vs. Individuals:

In our study of the problem we have tried constantly to bear in mind the distinction between the failure or inadequacy of systems and procedures and the failure or inadequacy of the individuals charged with the responsibility for following that system or procedure. Where a fault can be traced to the failure of human element, for example, the supervisor's failure to prepare a regular and correct statement of pending cases as prescribed in the manual of office procedures,

we, would exonerate the systems and procedures from blame. That is to say, we would try not to recommend a change in the existing systems and procedures unless we found them to be faulty and/or inadequate.

(ii) The plea of over-work:

Rush of work and shortage of personnel were often mentioned to us as the main reasons for something not done when it ought to have been done or for something done inadequately or in a faulty way. Our own probe into this problem revealed that about three-fourths of the Ministerial staff felt that their workload was heavy or very heavy. Provision of additional hands was suggested to us as a way out of this difficulty. We are, however, of the view that the problem essentially is that of: (i) ensuring proper distribution of work and (ii) ensuring greater work-productivity per unit with the help of more enlightened principles of office management. The remedy does not universally lie in the provision of additional staff; the remedy shall, in fact, have to be found in finding out ways and means of greater work-productivity per person, through better training and motivation, through a more systematic coordination and simplification of work procedures and standardisation of repetitive work processes. Provision of additional staff may be necessary

where substantial additions to work take place, but this should be regarded as the last, and not the first, of the remedial measures. Proliferation either of organizations or expansions in numbers without proficiency in performance hardly contribute to increase in work efficiency.

(iii) Procedural deficiencies:

There are two major deficiencies which require special mention - (i) non-acknowledgement of applications and (ii) delays in their disposal. Our data showed that a large number of applications and representations from citizens are not acknowledged. Further, the Administration does not some-times inform the citizens even where action or decision has been taken on the application.

Few other things perhaps tarnish the image of Administration more than the failure of communication at this vital point. As in the case of justice, not only is it important that action or decision on the application should be taken promptly, but it is equally important that it should appear to have been taken promptly. Prompt action and proper communication of decisions go a long way towards enhancement of satisfaction among the citizens with the Administration.

(iv) Delays:

We have given in Appendices V and VI two illustrative cases, out of the many we have collected, of delays in the handing of applications in Government offices. These two cases as well as the results of our later analysis given in the preceding chapter would lead one to believe that the ^{of the} villain/piece in the whole system of handling applications from the public is the problem of delays. We have already seen that delays are not always or entirely due to faulty or complicated rules and procedures; they continue to occur again and again in simple-routine as well as in complex type of cases, in lower hierarchical levels as well as in higher ones, in disposal of applications from citizens as well as of Government employees.

The officers, with whom we had the benefit of discussions on the subject, mentioned various reasons that lay behind these delays.¹ They can be traced to personnel and procedural deficiencies. Important though they are, it

1. These are:

- (i) Heavy work-load on staff and officers;
 - (ii) Improper examination of the case;
 - (iii) Inadequate attention to reminders;
 - (iv) Non-preparation of statement of pending cases or improper scrutiny of those prepared;
 - (v) Inadequate supervision;
 - (vi) Condonation of delays caused by staff and officers;
 - (vii) Lack of competent staff; and
 - (viii) Non-familiarity of officers and staff with rules and procedures.
- (See also the reasons mentioned in the Govt. of Rajasthan, Deptt. for Removal of Citizens' Grievances, First Annual Report, (1964-65, pp.19-23)

appears to us that failure to take action, or correct action, where it is clearly indicated by virtue of rules, regulations, standing orders or even common-sense is one of the major contributory causes of delays. It merits special consideration.

With this as the general frame-work of our approach to the problem, we may now proceed to offer concrete suggestions for strengthening the existing machinery and procedures for redress of citizens' grievances.

C. Machinery for dealing with Citizens' applications:

(i) At the State Level:

Speaking broadly, though in a somewhat overlapping manner, the machinery for the removal of citizens' grievances in the States can be classified as follows:-

- (i) States² which have a high level officer for the State as a whole to deal with cases and causes of citizens' grievances;

2.

When this Research Study was being formulated, the Government of Rajasthan and of Undivided Punjab had a full-time Director for Removal of Citizens' Grievances. The post in Rajasthan was abolished on the 1st March, 1967. In Haryana State the Director of Public Relations is functioning as Director of Grievances. In the present Punjab, the Director of Grievances does not have an independent existence now: he is a part of the Civil Secretariat.

- (ii) States which have designated officers in each Department for dealing with complaints, etc. pertaining to their own particular department;
- (iii) States which have made some ad-hoc arrangements such as District Grievance Committees, District Grievances Officers, etc.
- (iv) States which have specifically defined the role of Ministers in the redress of citizens' grievances; and
- (v) States which do not have any well-defined Machinery or procedure for redress of citizens' grievances.

We have gone through the First report³ on the working of the office of the Director for Removal of Citizens' Grievances, Rajasthan. The Directorate has done some exploratory work during the short period of its existence. This Institution was started with the hope that it would be useful in as much as the Director of Citizens' Grievances would function on behalf of the citizens, and he would bring to bear an objective mind on the subject of the complaints. The special value of the State Director of Grievances lay in his capacity to pull his weight and authority with the departments where the grievances were justified. However, since the A.R.C. have recommended the Institutions of the Lokpal and the Lokayukta, which, if and when adopted, will generally perform an identical function, the post of the State Director of Grievances would appear to have become redundant. Keeping this in view, as also the need for financial economy

3. As far as we are aware, this is the only report published on the work done by a State Director of Public Grievances.

and the principle that the ultimate responsibility for prompt and judicious disposal of communications should be with the Departmental Head, we are not in favour of a separate institution of the State Director for Citizens' Grievances. We recommend instead that the Secretary to Government in a Secretariat Department and the Head of the Department in the Attached and Subordinate Offices should be designated as the Ex-officio Grievance Officer⁴ for that particular Department with the following functions:-

- (a) To ensure prompt disposal of applications, petitions, etc. from the public;
- (b) To ensure that the Government instructions for redress of public grievances are communicated to, and carried out, properly by the concerned officers;
- (c) To undertake enquiries in special cases of undue delay;
- (d) To guide the officers in his Department in regard to the disposal of public complaints;

4. Such a Grievance Officer will provide an in-built organisational mechanism for locating and/or calling attention to, delays and instances in which the ordinary rules create an unjustifiable hardship to the citizen or in which the first line decisions appear to be unfair. He will be a sort of 'advocate' to represent the citizens' case as well as a 'safety-valve' through whom a citizen can seek relief from his complaints without having to fear that the act of complaining will be penalized.

(e) To inspect carefully the statement of pending cases and to give advice for early disposal of public complaints;

(f) To study causes of major grievances and take remedial measures;

(g) To check, at periodical intervals of six or twelve months, a small sample of the citizens' applications, petitions, etc. received in each Section of his Department, with a view to ensuring that the prescribed procedures for their handling are being effectively followed; and

(h) To review rules, regulations and procedures in the light of their actual working, and if any of them is found to hinder quick redressal of public grievances, to suggest such modifications as he may consider necessary.

To enable the Departmental Grievance Officer to discharge his duties effectively, without detriment to his functions as the Departmental Head, he should be provided with the assistance (full-time, if possible and part-time otherwise) of a Departmental Deputy Grievance Officer. The Deputy Grievance Officer should be found, as far as possible, by re-allocation of work among the existing departmental officers. If that is not found possible, we recommend the creation of a new post.⁵

He should work through the Head of the Department. He should be

5. The creation of a new post, if unavoidable, might mean a little more expenditure, but we feel that it will ultimately prove very effective in terms of citizens' satisfaction. We agree with Kapp that "Marginal social productivity of additional investments may be greatest in the field of administrative reforms" - K.W. Kapp, "Economic Development, National Planning and Public Administration," Kykos, Vol. XIII, 1960, p. 200.

sufficiently senior so as to be able to win the respect of his colleagues in the Department, and sufficiently reputed for his integrity so as to be able to win the confidence and respect of the public. He should be of amiable disposition and of helpful attitude towards the public. The duties of this officer should be:

1. To receive applications, representations, petitions, etc. from citizens and Government employees on behalf of the Departmental Grievance Officer and to ensure adequate follow-up action till they are finally disposed of;
2. To receive and screen visitors coming to see the Departmental Grievance Officer for making oral representations or for follow-up of their applications; and
3. Generally, to help the Departmental Grievance Officer in the discharge of his duties detailed in the foregoing paragraph.

The Deputy Grievance Officer in each Department should work with minimum possible establishment. He

may have a stenographer/steno-typist, who should be

responsible for registration of applications, issuing

acknowledgements, bringing forward the cases on due

dates and for taking down dictation from the Deputy

Grievance Officer. We consider this system to be an

approximation towards the officer-oriented system.

In view of the additional duties prescribed for the

stenographer and the need for a person of competence

in this position, he may have to be given a suitable

special pay in addition to the ordinary scale of stenographers/steno-typists.

The arrangements suggested above should not be taken to absolve the other Departmental officers of their primary responsibility to dispose of the citizens' applications in a prompt, fair and judicious manner. In this respect, the duties and responsibilities, as well as the powers of each officer to dispose of the applications from citizens should be clearly defined or re-defined, wherever necessary. Each officer should be specifically enjoined to dispose of in Dak stage as many cases as possible, especially those of simple-routine category. That these officers discharge their normal duties and responsibilities in respect of citizens' petitions, etc. and also exercise the powers granted to them should be firmly insisted upon.

(ii) At the District level and below:

We recommend that the District Collector/Deputy Commissioner should be designated as the Ex-officio Grievance Officer at the District Level.⁶ His functions at the District level should, mutatis mutandis, be the same as that of the Head of Department as ex-officio Grievance Officer. In addition, however, he, as the Head of the District Administration, should have the specific power to supervise and guide the work of other departments in the District in respect of redress

6. It might be argued that this suggestion would add to the workload of the already over burdened Deputy Commissioner/Collector. We have already mentioned (pages 23-25 supra)

of citizens' grievances.

To enable the Collector to discharge his duties as District Grievance Officer, efficiently and effectively without detriment to his other functions which are of vital importance, he should be provided with the assistance (a full-time officer if possible and part-time otherwise) of another officer who should be designated as the Assistant District Grievance Officer. The full-time officer should be found by re-adjustment of work among the existing State Civil Service officers in the District and not by creation of a new post. The officer so selected, whether full-time or part-time, should be, like the Deputy Grievance Officer at the State or Head of the Department level, sufficiently senior so as to be able to win the confidence and respect of the public and of suitable disposition marked by patience and helpful attitude towards the public.

the finding of the Report of the Administrative survey of Surat District by N.B. Desai to the effect that the Collector is burdened with numerous kinds of work. Many students of District Administration also seem inclined to this view. As a way out of the difficulty, the N.B. Desai's Report suggests that additional officers should be attached to the District Collector to relieve him of many routine activities. The trend of opinion seems to be in favour of diversification of functions and appointment of three or four important functionaries with arrangements for coordination among them (vide the Report of the A.R.C. Team on District Administration). Be that as it may, we are also suggesting a full-time Assistant District Grievance Officer to help the Collector. As such, we hope that our suggestion will not throw much additional burden on the District Collector to pull his enormous weight and authority for expediting the disposal of citizens' applications and complaints.

/but it
will enable the
Collector

The Assistant Grievance Officer should be provided with the assistance of a full-time Senior Clerk or Assistant to help him in the routine side of his work such as registration of applications, keeping of records, putting up cases of reminders on due dates, etc. The Clerk/Assistant should be found by re-adjustment of work among the existing ministerial staff at the District level and preferably know Shorthand and Typing and be encouraged to learn them so that he can take dictation from the Assistant Grievance Officer. By way of incentive such Clerks and Assistants should be given a suitable allowance.

District Grievances Committees:

A description of the District Grievances Committees set up by the Governments of Haryana, Madhya Pradesh and Punjab, has already been given in Chapter Two. As far as we have been able to ascertain, no other State Government has constituted a District level Committee for dealing with citizens' grievances.

We have not had the opportunity to study the working of the District Grievances Committees in Madhya Pradesh, and therefore, we are not in a position to offer comments on their working. However, one of the members of our Study Group had attended in September 1966 a meeting of the District Grievances Committee in one of the Districts of the former State of Punjab. Some of the members of the Study Group again attended a meeting of this Committee in another District in February, 1967. In these

Committees, the cases reported as pending by the District Officers concerned are reviewed, though in a somewhat mechanical and superficial manner. The emphasis is usually on the fact of the disposal of the case rather than on the consideration of its merits. Moreover, some of the District Officers do not seem to attach sufficient importance to these meetings. They sometimes do not send a list of pending cases sufficiently in time for the meeting. In spite of these shortcomings, these meetings appear to serve a useful purpose in as much as they afford an opportunity to the district officers to review their pending cases once a month, to the District Collector to keep himself informed of the complaints and grievances of citizens in his District and to give necessary help and guidance to the officers concerned for quick disposal of pending cases. These Committees also enable the official and non-official representatives to come together and to know each others' views and difficulties.

However, in spite of these advantages, we feel diffident of recommending the constitution of District Grievances Committees in other States. The reasons for this diffidence are: (1) our emphasis is on the fixation of responsibility on individual officers for quick and speedy disposal of the citizens' applications, a responsibility which is likely to get diluted when it is shared by the District Grievances Committee; (2) these Committees might be used as a machinery for bringing an undue pressure to bear

on Government officials from the non-official representatives. We, therefore, feel that before the District Grievances Committees are formed in any State, the working of the present District Grievances Committee in Punjab, Harvana and Madhya Pradesh need to be studied in greater detail. In this connection, it may be relevant to point out that voluntary and non-government bodies called Citizens' Advice Bureaux have been established in U.K. In Delhi also, a Citizens' Advice Bureau has recently been set up. The aims, objects and the achievements of these bodies need to be studied in detail to find out whether the encouragement of Citizens' Advice Bureaux on voluntary basis would be more effective than formation of District Grievance Committees.

D. Procedure for handling applications:

(i) General: While enunciating the general principles underlying our approach to the problem in the early part of this chapter, we stated that it would be our endeavour not to recommend a change in the existing systems and procedures, unless we found them to be faulty and/or inadequate. However, the situations in or about which people (including Government employees) write to Government are diverse, the matters on which they write are varied, the procedures prescribed by State Governments for handling them are different from each other, the manner in which they are usually handled at the State, District or lower echelons vary at different levels or in offices at the same area level. All these make it impossible for us to suggest a uniform and detailed procedure for handling applications that would hold good for all situations or

subjects. Therefore, what we have suggested in the following paragraphs should be regarded as a model outline which should be modified and/or filled in detail to suit the particular needs of each office. However, the principles underlying these suggestions will remain the same in each case of modification. In other words, the suggestions made in this report supersede the existing procedures to the extent that the former come in conflict with the latter; otherwise they do not supplant, but supplement, the instructions contained in the existing procedures prescribed at the State and District levels.

(ii) Registration at Dak stage:

The applications, representations, complaints, petitions etc. received by an officer or his office i.e. the Section, should be registered in a special Petition Register, having the following columns:

Sl.No. of the application	No. & Date of application	From whom received (full address)	Brief description of the subject	To whom given	Date of acknowledgment	Date and nature of final disposal, e.g. filed, reply sent, etc.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

The registration, instead of being done at one place in the Petition Register, should be according to well-defined areas or categories, e.g. District-wise in the case of the State-level, Tehsil or Talukwise in the case of the District level, Patwari or Kanungo- or VLW-wise in the case of Tehsil or Taluk-level. A number of pages in the Petition Register should

be allotted to each area the registration numbers should be consecutive in each area, though made distinguishable by three or four alphabetical letters representing the District. (The suggestion is explained in greater detail in Appendix VII to this Report).

This system is being suggested to overcome the present difficulty whereby the cases pertaining to a particular area and still pending cannot be easily located for being handed over to the officer for on-the-spot enquiries or follow-up, when he happens to go out on tour to that area. The procedure suggested by us will have the added advantage of giving at a glance the number of applications received from each area, the nature of their problems, and whether they have been disposed of or not.

After registration, such of the applications as have not been seen by the officer concerned earlier, will be submitted to him for his perusal. Of these, as well as the applications received direct, the officer himself will dispose of as many applications as possible, while in others he will indicate the action on the part of the dealing Assistant/Clerk or Superintendent, Head Clerk.

(iii) Acknowledgement:

All applications should invariably be acknowledged under the signature of the Section Officer/Superintendent/Head Clerk or the P.S./P.A. to the Minister or Officer concerned, except those belonging to the following categories:

- (a) Anonymous, pseudonymous or unsigned applications;
- (b) Applications from Government employees;
- (c) Inter-departmental references pertaining to these applications;
- (d) Applications presented by a person possessing no claim or advancing claim of an obviously unsubstantial character;
- (e) Where a copy of an application has gone to the officer competent to take the decision and copies have been sent to others (including Ministers) as a matter of routine; and
- (f) Where the language of an application is **indecent** or disrespectful or when the application is illegible or unintelligible.

Deficiencies, if any, in the application should be pointed out all in one place and not piece-meal. These should be pointed out, as far as possible, at the same time as the application is acknowledged. Instalment thinking, or thinking piecemeal about different aspects of a single matter should be discouraged.

The following types of applications should not be entertained and the applicant should be suitably informed, preferably at the time of the acknowledgement itself:-

- (i) Applications regarding matters which are pending before any Court or Tribunal or other similar authority or regarding which proceedings can be taken in such Court, Tribunal or other authority;
- (ii) Applications containing complaints relating to the administration of civil or criminal justice;

- (iii) Applications in respect of which the applicant has omitted, or seems to have omitted, to approach the competent Grievance Officer at the District or Head of Department or State Secretariat level for redress of his grievances (except where there are reasonable grounds for such omission);
- (iv) Applications which have been considered and decided by the Government in the past and no new facts which merit reconsideration of the case are brought to light;
- (v) When the application is so belated that its consideration is clearly impossible or is debarred by rules;
- (vi) When the application is for employment to posts ~~not~~ under the administrative control of Government or to posts under the administrative control of Government not made in pursuance of any rule or announcement regarding applications for employment;
- (vii) When the application is a representation against the action of an individual or of a body of individuals regarding the private relations of the applicant and such individual or body;
- (viii) When the application is a representation against a decision which is declared to be final by any law or statutory rule; and
- (ix) When the application is against a failure by Government to exercise a discretion vested in it by law or rule.

(iv) Classification and filing of applications:

Almost invariably, the disposal of applications is delayed, and the delay is almost always out of proportion to the nature of the application. That is to say, some simple cases which should, literally speaking, be disposed of in a few minutes are delayed considerably. Since the time required for disposal of each application will vary according to the nature and the kind of action required to be taken on the application, we suggest that the

applications from citizens should be allotted one of the following categories, depending upon the kind of action needed for their disposal. The applications should be finally disposed of within the time limit indicated against each category:

(a) Category A: Routine and Simple:

Acknowledgement, for information, reminders, asking for/furnishing papers, application of simple rules/precedents..... 15 days*

Category B : Complex

(e.g. involving policy issues, relaxation of rules, etc.)... 30 days*

(*Where other offices have to be consulted or where report has to be called for from subordinate offices, period for disposal of case should be twice the period indicated above).

Our study revealed an almost chaotic condition in the opening and maintenance of files, especially at the District level and below. Whereas the general principle is 'one subject - one file', we found the files opened under all kinds of confusing subjects and carrying a number that, more often than not, made no sense whatsoever. We found for example that ^afile given the subject "Compounders" and bearing no number whatsoever, had been continuing in one office for the past 4 or 5 years and any application, complaint, etc. pertaining to any compounder in the district was dealt with in this file. We also found in some cases that the

correspondence pertaining to an application from the public was widely interspaced by the papers pertaining to other applications. The correspondence was not placed in any logical or chronological order, with the result that it took us many hours to locate the correspondence pertaining to a particular case. We could not understand any rationale in this state of affairs though it was complained to us by some Superintendents that this was because of the general shortage of file covers, etc. we presume, however, that the ignorance of the office procedure in this respect and/or the incompetence of the office staff are also contributory factors for the files not being maintained in the prescribed manner.

We, therefore, suggest that an application should be treated as a file in itself on its diary number unless there are some compelling reasons to the contrary. We found this system working satisfactorily in some of the offices visited by us. The finding of a few papers pertaining to a case, all available at one place, is much more easy than ~~when~~ they are lying far apart from each other and one separated from the other by many other papers not relevant to that case. Our this suggestion will also obviate the need for a large number of file covers.

After disposal, the case should be placed in the area-wise bundle of disposed of cases. Applications of Government employees after disposal may be added to their personal files, a note to that effect being made in the petition register..

(v) 'Halting' Time:

Inordinately long 'halting time' of papers at various levels being one of the major causes of delay, Officers or office staff should be required to process the cases as completely as possible within three clear working days⁶ of their receipt. The officer concerned should invariably seek the written permission of the next higher authority for extension of this period, stating also the reasons in brief why the extension is considered necessary.

The maximum 'halting time' for cases which require on-the-spot enquiry should be 15 days if the enquiry is to be made at a place which is also the Headquarters of the officer or employees and 30 days for other places.

(vi) The Noting Levels:

In the offices at the District level and the offices of the Heads of Departments and in the Secretariat Departments, the number of levels required to put up notes should be defined, keeping in view the following principles:

6. Closed holidays, the day on which the officer was on tour would not be counted as a working day. This 3-day limit has also been suggested by the Andhra Pradesh Administrative Reforms Committee.

(a) In a Secretariat Office and the Office of the Head of Department:

- (i) Where officer-oriented system has been introduced, noting should be done by not more than two levels, including the decision-making level but excluding the level responsible for putting up papers and referencing them.
- (ii) In the offices the noting should be at not more than 3 levels, including the decision-making level.

(b) At the District Level

- (i) Where an officer-oriented system has been introduced, noting should be by only one level, namely decision-making level, but that too should be confined to the brief recording of instructions leading to the decision. Where the line of action is clear or where reasons for the decision are contained in the reply to the applicant, no noting should be done.
- (ii) In other offices, noting should be by not more than two levels, including the decision-making level.

(c) At the levels below the District level:

Since the lines between the officer-oriented system and the traditional office system tend to get blurred at these levels, since the number of noting levels in any case is not great, and since trans-
action of Government business at these levels tends to be less formal and the personal

contact between the citizens and the Government employees tends to increase, the noting should be by one or two levels, but not more than two levels in any case, keeping in view the general principles mentioned for the offices at the District level. As already stated, the transaction of Government business at these levels is generally done through personal contacts and is more informal than at higher area levels. In such a situation, Government employees often fail to record the particular action taken by them or the reasons therefor. We regard this as a serious lapse from the norms of administrative etiquette, as recorded decisions form the life-blood of a healthy organisation. At these levels, this does not generally need more than one or two brief sentences. This applies also to a record of the meeting with non-officials at these levels. We, therefore, urge that this should be done invariably.

(vii) Failure to take action :

Failure to take action where action is due or taking incomplete action because of ignorance of rules or because of inadequate attention to the details of the case should be regarded as grave dereliction of duty, and dealt with as such.

(viii) Tossing of Papers :

Attempts at 'tossing' of papers and roping in others, where action or decision is the sole responsibility of the officer himself, should be taken serious note of, and suitable action should be taken against the defaulting officer.

(ix) Forwarding of applications :

It was represented to us strongly and repeatedly especially by the Collectors and other officers at the District levels, that the public are in the habit of sending copies of applications to a number of authorities at all levels, which might or might not be concerned with the subject of the application. Our data suggest that there is some truth in this representation. Even the forwarding of applications by these authorities to the officer concerned, and the applications so forwarded reaching him on different dates, takes up a great part of the officer's time and the time of his office. If the officers at higher levels have asked the officer below for a report in the matter, the strain on him and his staff in preparing and submitting replies or reports increases manifold. The public, according to some officers, seem to entertain the impression that it is only the Ministers and the officers at the higher levels of administration who can get things done for them.⁷

7. Whether this impression is justified or not, we are not in a position to say, but the fact of this impression cannot be denied.

Officers competent to take a decision often find it necessary to call for a report of the subordinate offices situated at some distance from the headquarters. These officers do not often have the facility of a typewriter, and the dealing hands often have to make a copy of the application in their own hand and to forward it to the subordinate offices, asking for their report. This they do to obviate the possibility of losing the original application in case it is forwarded to the subordinate office for report and return. We are not sure how far this fear is justified, but it obviously implies a great expenditure of time and effort, which could perhaps be saved and utilised for some fruitful activity.

We, therefore, suggest that where it is necessary for the competent officer to call for a report of the subordinate office, before giving his decision:-

- (a) The application should be forwarded to him in original with a request for its return. Time and effort need not be spent in making a copy for fear of loss or misplacement of the original. However, as a safeguard against the possibility of its loss or misplacement, the gist of the application should be briefly mentioned both in the communication calling for a report and in its office copy (See also Annexure II to Appendix VII);
- (b) Copies of applications should be made only in cases where comments or reports have to be called for from more than one officer, in which case they should be asked simultaneously for their report/comments:

- (c) The maximum time limit for receiving reports should be one month on the outer side, though a shorter period should be prescribed wherever it is considered advisable. If reply is not received within the prescribed time-limit, the matter should be brought to the notice of the officer above the level of the dealing officer (in the case of sister offices) and serious note should be taken of the delay on the part of the subordinate office; and
- (d) A departmental officer going out on tour to a particular area (District, Tehsil/Taluq or Block), should take with him a list of all cases on which reports/comments asked for from the officers in the area to be visited are pending, the officer should expedite, and if possible, bring back with him, the reports/comments. The separate petition register suggested by us (page 127) should facilitate the preparation of such list without any special effort.

(x) Delegation of Powers/Calling for Reports :

Our stress throughout this report has been on the principle that powers of decision should be delegated to officers and they should be given the necessary trust and confidence in exercising those powers. We, therefore, suggest that in keeping with this principle, applications received by higher authorities by way of an endorsement should not be forwarded for report, or even action, where it is clear that its copy has already gone to the officer competent to take action. In other cases, the copy should simply be forwarded to such officer for necessary action under intimation to the applicant. Alongside this, it is necessary that serious view should be taken of officers who fail to exercise the delegated powers and responsibilities.

(xi) Review of Appeals:

The aforesaid suggestion would imply that asking the officer to report on the complaint of the citizen, when he himself is competent to take final decisions, should be an exception rather than the rule, unless the application received by higher levels is in the nature of an appeal against the decision of that officer. The superior officers should respect the finality of the decision at the level at which it is agreed to be final. To call for a report except in cases of appeal is a negation of the principle of delegation and a denial of finality of decision at the delegated level.

If the application received by an officer from a citizen is in the nature of an appeal against the decision of that very officer, it should be forwarded to the next higher officer competent to review the decision, unless the appellate officer himself has received the appeal. In such cases, the appellate officer should ask the officer appealed against for a report, along with all the relevant papers on the subject. The appellate officer should review the case separately, give his decision and communicate it to the applicant at the earliest possible. The papers should then be returned to the competent officer for filing.

The appellate officers in each case need to be defined for each office.

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(xii) Model Guidelines:

In order to ensure prompt action without loss of time and effort on the part of the officers concerned and to simplify work methods, especially those involving repetitive action, we have drawn a set of draft instructions for the guidance of all dealing hands. This may be seen in Appendix VII. We recommend this for adoption by State Governments.

Citizens too often make the work of Administration difficult and contribute to delays, especially in sending frivolous or incomplete applications to a large number of levels. For their guidance, we have drawn up another set of guide-lines for the public as in Appendix VIII. We recommend that this should be published by the State Governments in English, Hindi and Regional Languages and distributed freely to the general public or at a nominal cost of 5 p. only. The printed pamphlet should be given maximum possible publicity and circulated through the agencies like the Public Relations Office, Panchayat Raj bodies, Block Extension Agency, Citizens' Advice Bureaux, etc.

We referred in the early part of this study to certain theoretical concepts about the inadequacy of the principles underlying the structure of administrative organizations, to the growing dilemmas faced by the mammoth

modern organizations, and to the ill's and dysfunctions attributed to modern bureaucracies. We had also mentioned the possible incompatibilities between these negative aspects of organizations and the lofty ideology of our goal of a welfare State. These incompatibilities, in our view, create a gap between the expectations of citizens from the Administration and the capacity of the Administration to satisfy these expectations. The narrow sphere of our enquiry into the machinery and procedures for redress of citizens' grievances is no exception to this gap.

There is much in the empirical data given in Chapter III to support the existence of this gap. Our data suggest three kinds of forces at work : (i) forces of alienation; i.e. those trying to widen this gap, (ii) forces of support, i.e. those trying to narrow this gap, and (iii) forces which would need a deeper and more detailed study for their proper understanding. We have naturally concentrated our attention on the forces that tend to aggravate the grievances of citizens against the administration, and suggested steps that would eliminate or considerably weaken these forces of alienation. This, we hope, would enable the forces of support to come to the surface and exert themselves.

It is obvious that the work of Government needs to be straightened from time to time. Organizations tend to

become anaemic, if let undisturbed over a period of time. An occasional shake-up tones and invigorates their health and vitality. At the same time, the shake-up should not make a complete break from the life-giving and life-sustaining roots. In fact, a brief survey of the existing literature on the subject made in Chapter Two would show that there is no dearth of the bright ideas and valuable suggestions for meeting the shortcomings that our data have brought to light. What is needed is to put them in a simple, consolidated, and practicable form and to see that they are implemented in full; not a fraction less.

E. CONCLUSION

The summary of our findings, suggestions for further study and recommendations for streamlining the existing machinery and procedures for redress of citizens' grievances is given in Appendix IX. Our recommendations do not represent a break from the existing procedures : in fact, most of them are already in existence in the form of suggestions or in varying stages of development or implementation in one or the other isolated, far-flung pocket of the vast administrative machinery in various States. We have ventured to spotlight such of the practices and recommend them for consideration and adoption on a larger scale as are likely to remove the shortcomings revealed by our data. That a particular practice recommended

by us has not been able to make a significant impact in the areas where it was prescribed does not, in our view, detract from its inherent and potential usefulness; for, as we have seen, many other intangible elements may be at work in the bureaucratic milieu which may nullify the impact of that particular recommendation. While we have suggested some further studies for identifying these imponderables, we feel optimistic, within the limits of results yielded by our data, about the effectiveness of our recommendations in the structural framework suggested by us.

(i) Implementation and Follow-up of our Recommendations :

One significant fact suggested by our data is that, in many areas of procedural action, deficiencies continue to occur in spite of the specific instructions issued for avoiding those very deficiencies - as, for example, of the acknowledgeable applications, only about one third are actually acknowledged. This would seem to underline the need for a systematic approach to ensure : (a) more effective supervision and inspection, and (b) better implementation and evaluation of the existing or suggested procedures.

(a) Supervision and Inspection

Our data have shown that one-half or even more (Table 3.15) of the delayed cases are due to the delay on the part of subordinate offices, in furnishing their reports/

comments or to lack of proper follow-up on the part of the office asking for the report/comments. Delay also occurs at both higher and lower hierarchical levels of Administration. All these causes of delay are, in the ultimate analysis, attributable to the laxity of the supervisory system. In this sense supervision and inspection are perhaps the most emphasised and least practised aspect of our administrative system, particularly in relation to its dealings with the citizens' applications.

Systematic supervision seems to have been allowed to go by default or indifference in the process of rapid expansion of developmental activities under government auspices. True to the saying that "a thing not inspected is the thing not done", administration would be weak to the extent that supervision and inspection are lax.

We regard supervision and inspection primarily as a means of guiding, helping and encouraging the staff through an "on-the-job" training process and not as an instrument of a punishment-oriented system. Supervision, in its true import, is that which imparts to the subordinate staff a sense of purpose and dedication to their job and motivates them to a better and higher endeavour in their job performance. In this sense Supervision and Inspection need to be considerably improved and strengthened. As a part of this, particular attention needs to be paid to the preparation and scrutiny

of the weekly and monthly statements of pending cases (Annexure III to Appendix VII).

(b) Implementation and Evaluation of the Recommendations :

As already stated, our suggestions are not entirely new. In fact, some of them have been laid down as official instructions many a time in the past; but they failed to produce worth-while results because they were honoured more in breach than in observance.

If the experience of the past has any relevance for the future, it is that the procedure to be laid down on the basis of our recommendations should be regarded as the first, and not the last, step in the process of streamlining the administrative machinery and procedures for speedy handling of citizens' applications. This implies that the implementation of the procedure to be prescribed will need to be closely followed up. An evaluation of the new procedure and the comparison of performance under it with that under the old procedure will provide a very valuable index of its effectiveness. It will also bring to light the weak spots needing corrective action.

The schedule adopted for our study (see Appendix III) will, we believe, prove of great help in undertaking the kind of evaluation suggested by us. However, untill such time

as the staff within the Organisation are enabled to undertake an independent evaluation, the evaluation should be undertaken with the help and under the guidance of only such individuals or organisations that have the necessary know-how of the needed techniques.

(ii) Cost and Benefit of our Recommendations :

In non-commercial Organizations, such as Government offices, it is not easily possible to measure work-productivity in terms of money. All that we can possibly do under this head is no more than a rough and ready guess in very general terms. Our suggestions that might involve expenditure to Government are very few indeed; in fact, there is only one such major suggestion - for appointment of a full-time Deputy Grievance Officer in a Secretariat Department/Office of the Head of Department/Collectorate, though we envisage that efforts would be made in the first instance to find such an officer by re-allocation of work among the existing officers.

(We are ignoring the allowance we have recommended for stenographers/steno-typists attached to these officers). As such, our suggestions will not cost any significant amount of money, or at the most, they will cost each Department the pay of only one extra officer. The pay of such an officer will be more than made up by staff reduction, which will, we hope, be made possible through simplified procedures and faster pace of work.

But the cost and benefit likely to occur as mentioned above pale into insignificance in the face of the far more large - in fact over-riding - benefit we aim at. It is the achievement of citizens' satisfaction.

APPENDICES

Gist of points made in the reports of various Administrative Reforms Committees and individuals with reference to the problem of citizens' grievances.

I. Report of the Administrative Reforms Committee.,
Govt. of Rajasthan, 1963.

The Rajasthan Administrative Reforms Committee with H.C. Mathur as the Chairman, was appointed in July, 1962 to recommend measures "to bring about reforms in the administration of the State, specially to improve the efficiency of working of Government offices and ensure the expeditious disposal of government business."

The Committee submitted its report on the 20th September, 1963. Following are some of the important recommendations of this Committee :

At State Level :

General

** There should be courtesy and respect for people's representative and full consideration should be given to their views but under no circumstances should administrative principles be sacrificed or tampered with.

** Before a decision is taken in any matter by the Government the direct and indirect effects of the decision on the Administration and the people, both immediate and long range, and the manner in which the decision is proposed to be implemented should be carefully considered.

** The important general grievance of the people should be intimated by all offices of the Government to the State Government. The Chief Secretary should submit a fortnightly report to the Cabinet indicating the important grievances of the people which came to the notice of the

Government during the quarter and the remedial action taken or proposed to be taken with regard to them.

- ** The Cabinet Secretariat should be suitably strengthened to ensure that such information as may require the attention of the Cabinet is obtained, analysed and submitted to the Cabinet in time.

The People and the Government :

Ombudsman :

- ** An independent and high powered body in the nature of an Ombudsman obtaining in the Scandinavian countries be set up to enquire into cases of mal-administration and corruption and give adequate protection to those who are unnecessarily maligned. This will also provide the Legislature with adequate means for discharging their functions as guardians of the People's rights and privileges effectively.

- ** A person appointed as "Ombudsman" should be one who is eligible to hold a post equivalent in status to that of a Judge of the High Court or a Member of the UPSC and is of outstanding integrity. His status be equivalent to that of the Chief Justice of the State High Court.

- ** He should primarily concern himself with the actions taken by the State Government including Ministers/ Deputy Ministers and officers of the Secretariat, Heads of Departments and senior scale officers of the All-India Services. For matters lying within his jurisdiction, the Ombudsman should be empowered to obtain such information and such documents and records as may be required by him for the discharge of his duties from every person in the Government. The Ombudsman should be invested with powers of a Commissioner appointed under the Commission of Enquiries Act so as to enable him to conduct his enquiries efficiently.

The Secretariat :

- ** One of the most effective ways of expediting the work in Government offices is to increase the number of officers to take decision, restrict the number of subjects which they have to deal with and reduce the strength of the ministerial staff who are required to "process the cases at various stages in the office". Three different systems are recommended for adoption in this respect - the Cell System, the Group System and the one in which the number of S.O.s. is increased and the number of Upper and Lower Division Clerks correspondingly reduced.

** It is a solemn duty of the Heads of Departments to inculcate in the subordinate officers the right attitude towards their work as well as the people.

Elimination of Procedural Delays in Govt. Offices :

** Normally, after the dealing assistant has examined a paper under consideration and recorded his note, the case should not be seen by any other member of the ministerial staff (except perhaps by the Officer Superintendent/ Section Officer for establishment matters) and at the most by one officer before the paper is put up to the officer competent to take a decision in the matter.

** The Heads of Departments/offices should go through the papers received, in the daily dak themselves.

II. Report of the Punjab Administrative Reforms Commission, 1966

The Punjab Administrative Reforms Commission was appointed in 1964 with Shri K. Hanumanthiye, as Chairman and Dr. J.N. Khosla, Director, IIPA as one of its members. The Commission submitted its report in April, 1966.:

Among other things, the Commission was asked to explore ways and means for the satisfaction of the citizens legitimate claims on Administration and redress of their grievances.

Recommendations and Findings :

** There should be greater delegation of authority in the interest of quick disposal. To be effective it must be all along the line, from the Minister to the Secretary, from the Secretary to his subordinate secretariat officers, from the Ministers to the Departmental Heads and from them down to their junior most officers in the field.

** The number of stages in the passage of a file to the decision-level should be reduced.

** To gain confidence of the people, the officers should go down to the field to meet the people, to judge the work of their subordinates and to assess the impact of schemes launched by Government.

** As there is a Director of Public Grievances in the States, Ministers should direct complaints and their grievances to this officer, unless the grievances concern their particular departments, in which case the departmental officer concerned should be required to deal with it.

** A Minister, while on tour, will be making a very useful contribution if, instead of listening to unrepresentative, stray and doubtful people about the truth or otherwise of a complaint or about the functioning of the Administration in the field, he consults the local elected representatives.

** The Government servants should be impartial. Between individual and individual and between party and party, they should hold the scales even and act according to law and rules.

** Supervisory officials should be freely accessible to the public during appointed hours of the day and when complaints of delay are brought to their notice, the official sitting over the case should be summoned or visited, and given the necessary orders instead of calling for a report.

Public Relations and Redress of Grievances :

** A correct picture of Government performance should be continuously transmitted to the people through an effective, well-organised Public Relations Department. This Department should also act as a feedback agency for reactions and grievances on important matters concerning policies and programmes.

** There is need for more, better planned and repeated publicity in regard to Government schemes relating to loans and grants to the people. Rules relating to making the applications and relevant dates for the application should be thoroughly publicised so that everyone knows what the schemes are about and whether there is any abuse in the distributors of the Government credit.

** Branch Officers should be freely available to the public at appointed hours.

** Those who have grievances should not be encouraged to jump levels. The lowest competent authority should be encouraged, permitted, and if necessary, compelled to look into a grievance and take action upon it.

** The Director of Grievances should not encroach on the jurisdiction of various departments for the actual disposal of complaints. He should confine himself strictly to the pursuit of complaints with the department.

** The system of Tribunals as in France, for disposal of grievances, at the District level, should be tried.

** Subjudice or justiciable matter should be excluded from the category of grievances.

III. Report of the Administrative Reorganisation and Economy Committee, Kerala, 1967 - appointed Oct., 1965. Chairman: M.K. Vellodi.

Terms of Reference :

** To study the question of reduction in administrative expenditure and to formulate steps necessary for achieving maximum economy compatible with security, efficiency and the paramount needs of the planned development of the State.

Important Findings and Recommendations :

** The prompt disposal of business in Government offices, the courteous and sympathetic attention to the problems of the individual citizen when he brings such problems to the notice of the Government, accessibility to the members of the public these are all matters which properly belong to the domain of the civil servant. It is therefore quite right that there should be periodical assessment by Government of the extent to which civil servants have or have not been able to ensure this (i.e. order, efficiency and justice).

** There is in almost every office of the Government a deplorable slackness in the disposal of business. There is ground for belief that the average Government servant is lacking in initiative and independence..... There is criticism - not always baseless - that the average civil servant in the State still remains inaccessible to the public. There has been an ever-increasing

tendency to do the minimum of work and to cease to observe the rules of discipline.

** Indiscipline among Government servants has been sweeping the State during recent times. If this were merely a reflection of the general unsatisfactory economic condition of the people, a solution could be found but it cannot be said that the wave of indiscipline has its roots only in economic causes.

** Good Administration has its foundations in the integrity and efficiency, in the manliness, sturdy independence and the devotion to duty not only of the civil servants, but of those that compose the Government, of Members of the Legislative Assembly and, indeed, of the people as a whole. Democracy is one of the most difficult types of Government to work What is really required in the context of the building up of a welfare State is not administrative reform but administration ; not productivity councils but production ; not management associations but management ; and not an unceasing flow of words but plain, hard, honest work.

Efficiency - Some aspects :

** Manuals should be prepared immediately for departments which do not have them.

** A simple system of office procedure, well-knit and free from loop-holes, which cuts down delays and unproductive work to the minimum should be devised by the O & M Wing.

Administrative Procedures :

** A petition register may be maintained in each office where the Tottenham system is in vogue, on the line of the Inward Register and each petition, complaint or application received from the public be numbered in it before it is distributed to the sections ;

** At the same time, as the petition etc. is entered in the Petition Register, an endorsement in a card acknowledging the receipt of the petition etc. should be issued. This endorsement should also contain the number given to the petition in the register.

** Inspecting Officers should particularly scrutinize the Petition Register to see if the petitions etc. were disposed of promptly.

** Whenever an application or petition is rejected, the order communicated to the party should indicate briefly the reasons for so doing, so that the parties may know why that particular action is taken, unless the grounds for rejection are such as could not be revealed in public interest ;

** In addition to the normal annual inspection of offices at District level and below by the next superior officer, officers higher in the hierarchy to that of immediate superior officer should also inspect those officers once in a period of about five years.

** Disposal should be speeded up, if for instance, there is a rule, of having a day once in a month on which all files that have been pending in interdepartmental references for over 15 days were brought before a joint meeting of the Secretaries, discussed and agreed upon.

** There should be maximum time limit fixed for the disposal of various kinds of petitions submitted by the general public and such petitions should ordinarily be disposed of within the time fixed.

Departmental Manuals

** The Government should direct the Heads of Departments to finalise the work relating to the revision of the Departmental Manuals and Codes within a prescribed time limit by sanctioning the additional staff, where necessary.

** The Manuals and Codes may be revised and re-issued at specified periodical intervals, say, 10 years. . . ;

** Each department should in addition to preparing a comprehensive departmental Manual, also prepare a small pamphlet containing only matters of interest to the general public,

** Such books and pamphlets should be available for sale at all Tehsil offices and Information Centres. These should also be revised whenever Manuals are revised.

Public Relations :

** As there is no machinery for the Information and Public Relations work at the Taluq level and below, the service of Public Relations Institutions, the Extension Officers, the S.E.Os etc. should be utilised to the full extent for the purpose.

Public Complaints and Grievances

** The institution of Vigilance Commissioner should be utilized also for the purpose of redressing public grievances.

** Reception Officers contemplated in Important offices that have dealings with the public on a large scale should furnish information required by the public and also answer their enquiries ;

** Any information required by the public for a bonafide purpose should be furnished to him, unless it is of a confidential nature.

IV. Government of Andhra Pradesh. Report of the Administrative Reforms Committee (1960)
(Chairman : K.M. Unnithan, I.C.S.)

Deals mainly with the State-Secretariat. However, the following Recommendations are relevant :

** Each Collectorate should have a receptionist of the rank of U.D.C. Each Officer should set apart some time on every day to receive visitors,

** A trained and paid social worker should be appointed in each of the big hospitals in the State to attend to the enquiries from the public.

** Each representation received from the public should be acknowledged.

V. Government of Bombay - Report on District Revenue Offices by M.G. Pimputkar (1959)

Following are some of the findings and recommendations of this report :

** Ordinarily, there should not be more than one middle-man between the noting hand and the officer who can give orders.

** If a noting hand puts up some sort of query, the officer is quite satisfied that a query has been raised, and many a time he does not check whether it is essential or not.

** ... third group seems to have made the tossing of papers an art. Some have very seriously explained why they want to ask all sorts of questions. They do so, so that in future there would be enough material, relevant and irrelevant, to explain away any recommendation or decision.

** Some of the tossing can be traced to the ingenuity or habit of some officers who use the directive "Pl. speak" to avoid anybody noticing the parking time of the case on his table ...

** ... the journeys increase due to simple but frequent causes such as careless despatch, negligence in enclosing all the enclosures, addressing officers wrongly or addressing officers in line instead of simultaneously)

** Delay at each station may be due to:
(a) lack of knowledge of law and procedure caused by the absence of training or books, (b) Misplacing or losing papers, (c) individual work-load being heavy, (d) time taken for 'thinking' - (a fallacy), and (e) quick transfers.

** Complacency - reluctance to investigate all delays - has had a very bad psychological effect. Even when delays are exposed, they go unpunished.

** Checks which the Government introduced at various stages, e.g., (a) laying down time limits; (b) regular after inspections; (c) actual case studies, and (d) coordination meetings, met with the same fate as procedures.

** Loopholes and causes of delay will have to be considered as a whole and a remedy prescribed in a well-knit procedure instead of trying to plug holes as and when noticed:

** The present position can be remedied thus. We have to prescribe (1) Very few halting places; (2) checks over tossing about of papers, (3) early detection of parking of cases, (4) systematic reminders, (5) regular inspections, and (6) case studies.

** The objective to be achieved in any system is maintenance of a complete and impartial check over: (a) every communication from receipt to all stages of disposal, (b) every communication started in the office itself, (c) cutting down delays, (d) assessment of arrears, (e) assessment of the total period required for final disposal, and (f) equitable distribution of work.

Inspections

** It is truism to say that what is not inspected is not done. Inspection of an office should really help the Head of that office to find out many things which he would like to but has no time for ...

** Inspections have corrective, reformatory and punitive value As far as possible corrections should be made on the spot. Correspondences should be avoided. In such cases, (where something has been done which is just wrong), the idea in pointing out a mistake would be to see that it does not repeat. This is reformatory aspect. One reason why inspections have no permanent effect is the quick transfers. Secondly, an office can reform itself only if the Head of the Office takes personal interest in the compliance. Lastly, punitive value is diminishing. Even serious or repeated mistakes go unpunished. A tendency is evident to treat every mistake (initial or repeated) as an inevitable lapse. Any excuse seems to be acceptable.

** It has been repeated many times that inspections should not aim at fault-finding but no fault can be corrected unless it is found We need not feel shy of admitting that inspections are meant to find fault.

** The inspections should essentially be by the officer and not by his staff. This does not mean that the staff should not see the papers, or prepare notes on the subject, but it means that every inspection point should be vetted by the Inspecting officer.

** Officers should pay surprise visits to subordinate offices without substituting them for normal inspections.

Copy of the Government of India, Ministry of Home Affairs (Department of Administrative Reforms) letter No. 30/1/64-AR dated the 29th June, 1964.

OFFICE MEMORANDUM

Sub: Public Grievances - Setting up of separate Complaints' Cells.

As the Ministries are probably aware, there have been a number of questions in Parliament addressed to the Home Minister on the need for some special machinery for looking into public grievances against the administration. For this reason, as also in view of the special role of the Home Ministry in combating corruption throughout administration, the question of satisfactory handling of complaints from the public has been under examination in this Department.

2. It is a basic proposition that the prime responsibility for dealing with a complaint from the public lies with the Government organisation whose activity, or lack of activity, gives rise to the complaint. Thus, the higher levels of the hierarchical structure of an organisation are expected to look into complaints against the lower levels. If the internal arrangements within each organisation are effective enough, there should be no need for a special "outside" machinery to deal with

complaints. The fact that there has been a growing demand for a special machinery indicates that the present arrangements within departments are not good enough from the point of view of giving satisfaction to the public. It is, therefore, necessary to devise measures that will give substantial satisfaction to the public in the matter of grievances against the administration.

3. Broadly, public grievances can be of two categories:-

(a) grievances involving corruption and lack of integrity on the part of Government servants; and

(b) other grievances.

For dealing with category (a), a special machinery has been brought into existence in the form of the Central Vigilance Commission. For dealing with category (b) an "outside" machinery of this kind is not considered necessary or feasible at present, partly because such a machinery might tend to become too cumbersome and huge and also because the quickest and most effective redress for such grievances can come from within departments and organisations rather than from outside.

4. It has therefore, been decided that the internal arrangements for handling complaints and grievances should be quickly reviewed by each Ministry, special care being bestowed on the task by those Ministries whose work

bring them or their subordinate organisations into touch with the public. Their review should be directed towards two objectives:-

- i) The system of handling complaints and grievances in the existing hierarchy of officers should be tightened up to ensure that every complaint receives quick and sympathetic attention, leaving in the outcome, as far as possible, no ground in the mind of the complainant for a continued feeling of grievance.
- ii) For big organisations having substantial contacts with the public, there should be a distinct cell under a specially designated senior officer, which should function as a sort of "outside" complaints' agency within the organisation and thus act as a second check on the adequacy of disposal of complaints.

5. In regard to objective (i) the check points listed in the questionnaire at Enclosure I may be found useful in making the review comprehensive.

6. In regard to objective (ii) where the size of the organisation and the extent of its dealings with the public justify, a separate cell should be set up through which the head of the organisation may find it possible to do a quick and independent investigation of selected categories of complaints. This would help to keep the normal hierarchical channels alert and would also help to build up public confidence. If the proposed cells are to be really effective, however, two essentials will have to be seen to :-

Firstly, the cells will have to be placed under the charge of senior officers. In the case of Ministries, the joint Secretary dealing with Administration may be the right officer. In the case of attached offices, it should be the officer next in line after the head.

Secondly, arrangements will need to be made to see that only selected cases are taken up for investigation by these cells, the cells being authorised to get the less important ones dealt with by normal hierarchical channels under intimation to them of completion of action thereon. Selected cases could be cases in which the normal hierarchical channels have failed to give satisfaction, or cases of a patently hard kind.

7. The Ministries will by now have set up, or be in the process of setting up, Enquiry-cum-Reception Offices as suggested in the Ministry of Home Affairs D.O. No. 24/32/64-AVD., dated the 13th April, 1964 addressed to all Vigilance Officers. As these offices will be focal points for the public, it is suggested that the working of the separate Complaints Cell visualised in para 6 above may with advantage be dovetailed in the working of the Enquiry-cum-Reception Offices, as explained in Enclosure II to this Memorandum.

8. As the Sanyukta Sadachar Samiti has now started functioning, the Samiti will also be forwarding complaints received by it to the Central Vigilance Commission or to the Ministries concerned. Complaints received by the Ministries from the Samiti should also be dealt with in the Complaints' Cell, after proper registration at the Enquiry-cum-Reception Counter, information regarding their disposal being furnished to the Samiti wherever required by it.

9. The arrangements introduced as a result of the above review may kindly be intimated to this Department by the 25th July, 1964.

Sd/- N.K. Mukarji
Joint Secretary to the Govt. of India

To

All Ministries/Departments of the Govt. of India.
Questionnaire covering the more important aspects to be borne in mind in reviewing the existing arrangements for handling complaints and grievances.

Encl. I

i) Which are the areas of work, in the Ministry as well as Attached and Subordinate offices where grievances from the public are most numerous?

ii) Has a study been made of those areas aimed at improving the organisation and simplifying the methods of work, thus perhaps reducing occasions for grievances?

iii) Are there reliable arrangements for receipt and acknowledgment of each complaint? Is there a set form of acknowledgment? Is the complainant informed, at the time of acknowledgement, as to when he may expect to hear of the final out-come?

iv) Have time targets been laid down for the final disposal of complaints? Are there arrangements for seeing that these are adhered to?

v) When a grievance against the work of an official or organisation is addressed to the next higher level, is an independent mind applied to its disposal, or is it simply sent to the official or organisation complained against either for disposal or for report, without adequate arrangements for follow up?

- vi) After a complaint has been finally dealt with, is the complainant invariably informed of the out-come? Are there instructions to ensure that replies are not unnecessarily brusque or laconic, but couched in language calculated to satisfy?
- vii) Is there a reliable system of maintaining statistics or receipt and disposal of complaints?
- viii) Are officers in key positions adequately aware of the growing importance of work relating to redress of grievances? Is this work checked, quantitatively and qualitatively, at the time of inspections?

Encl. II

Outline showing how the Complaints' Cell will work
in Collaboration with the Enquiry-cum-Reception Center.

- i) The Complaints Cell need not necessarily be located along with the Enquiry-cum-Reception Counter. It will, however, be necessary for a Clerk of the Complaints Cell to be seated in the Enquiry-cum-Reception Counter.
- ii) The Enquiry-cum-Reception Counter will then be designated as the point at which public could lodge their complaints, if any. On receiving them, the Counter Clerk will enter it immediately in a diary with columns as specified in the proforma enclosed, completing the first four columns thereof.
- iii) The complaint itself in original will then be passed on to the Complaints' Cell against receipted acknowledgment for undertaking suitable investigation and remedial action.

The senior officer designated for holding charge of Enquiry-cum-Reception Office, who should normally be in charge of Complaints' Cell as well, will examine the register each week to see that it is properly maintained.

- iv) When action on any particular complaint is completed either by itself or the normal hierarchical channels, as the case may be, the Complaints Cell, after informing the complainant of the findings of the enquiry and the remedial action taken, will have a suitable entry to that effect made in column 5 of the register.
- v) The register will also be scrutinised once a month by the Head of the organisation to see how promptly complaints are being looked into and give such guidance as he might deem necessary for the expeditious disposal of pending complaints, particularly those outstanding for over two months.
- vi) In para 3 of the Central Vigilance Commission's letter No. 9/1/64-D.P. dated the 13th April, 1964 the Ministries were required to furnish to the Commission a series of statements regarding disposal and pendency of complaints, vigilance cases and appeals. While it is open to the Ministries to devise such machinery as may suit their conditions for ensuring coordination in the matter of collection of the relevant statistics required by the Central Vigilance Commission, it would appear that it would be most useful if the work relating to the registration of complaints is centralised at the Enquiry-cum-Reception counter. If necessary, suitable instructions should be issued for ensuring that complaints received otherwise than at the Enquiry-cum-Reception Counter are also directed to that Counter for purposes of registration and transmission to the Complaints Cell.

P R O F O R M A

REGISTER SHOWING PUBLIC COMPLAINTS RECEIVED AND DEALT
WITH IN THE MINISTRY/DEPARTMENT/ OFFICE OF

Sl. No.	Name of the complainant.	Brief gist of the complaint.	To whom forwarded.	Date of completion of action, and despatch of reply to the complainant.	Remarks
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SCHEDULE FOR EXAMINING APPLICATIONS FROM THE PUBLIC & GOVT. EMPLOYEES

1. Name of State?
2. Level examined (State, District, Tehsil/ Taluq or Block)?
3. Identification of the complaint examined.
 - 3.1. Office/Department?
 - 3.2. Diary No. of complaint?
 - 3.3. No. of the file in which the complaint was dealt with?
 - 3.4. Date on which the complaint was received?
 - 3.5. Date of final disposal?
 - 3.6. From whom received?
 - a) Full address to be given (if received direct from the applicant)?
 - b) In case the complaint has been received through another department please note the full address of the applicant under (a) and here note by whom it was forwarded?
 - c) Anonymous complaint?
 - 3.7. Specific issues raised/content (of) the complaint (If the subject matter is very long, please give a brief summary, giving the key words from the original text)?

-
1. 'Complaint' refers to any application, petition, representation etc. which indicates a sense of grievance on the part of the applicant. It may be an original application or application against a previous decision or action on the part of the administration.
 2. Final disposal means that stage of action where no more action is required on the part of the Department at which the complaint is selected for this study.

3.8.A. Was the Complaint endorsed to others?

3.8.B. (If yes) to whom?

3.9.A. Was the complaint a first application or was it a request/petition for reconsideration of an earlier decision?

3.9.B. (If appeal for reconsideration of an earlier decision), were any new facts put forward?

4. Treatment in Dak Stage

4.1. Was the complaint diarised (In dealing section)?

4.2. (If yes), in which register (General Register or petition register or both)?

4.3.A. Was it acknowledgeable or non-acknowledgeable?

4.3.B. (If acknowledgeable) was it acknowledged?

4.4. Was it seen by higher officers in the dak stage?

4.5. (If yes) what was the action taken, if any?

a) Disposed of by the officer himself?

b) Instructions given to subordinates for action?

c) Merely initialled?

4

5. Nature of complaint (Routine, Simple, Complex, etc.)

3. No acknowledgeable complaints are (i) Inter-departmental references (ii) Replies sent within ten days (iii) Any other (Pl. specify)

4. For Definition of Terms, see page 71 of the Main Report.

6. Levels Involved.

- 6.1. Number of levels through which the complaint passed?
- 6.2. Number of Levels which were necessary?
- 6.3. Number of Levels which were unnecessary?
- 6.4. Main reasons why the levels are considered unnecessary.

7. Time taken for final disposal.

- 7.1. Time actually taken?
- 7.2. Was the time taken normal?
- 7.3. Time that should normally have been taken?

5. i) Mere putting up transfer of papers should not be counted as a level, level should mean examination of the case real/noting drafting, giving suggestions/ideas, referring to other departments/offices for comments/advice etc., and giving of orders.

ii) If papers passed through the same level more than once, the number of times the papers have passed through the same level, should be counted as the corresponding No. of levels.

iii) This part of the question did not work at the time of data collection, because the operational terms adopted by us did not answer up to all situations. The greatest difficulty was the return of the same case to the same level several times; a situation for which there was no provision in our schedule.

6. The normal time should be calculated as follows:-

(i) Where no other office has to be consulted:

Routine/Simple	upto	15 days
Complex	upto	30 days

(ii) Where other offices have to be consulted:

Normal time should be twice the period indicate above.

(If the time taken was abnormal) reasons for delay
(This question applies to pending cases also).

- 7.4. Are the reasons clear from the file?
- 7.5. (If yes), what are the reasons indicated?
- 7.6. (If reasons are not clear from the file please ask the persons on the spot).

Attention to Reminder

- 8. Was there adequate attention to reminders?

- 9. Communication of decisions.

- 9.1. Was any decision taken?
- 9.2. (If request was granted) was the applicant informed of the decisions promptly or not?
- 9.3. (If the request was not granted)
 - a) Were the reasons for negative decision explained to the applicant?
 - b) Were the reasons communicated adequate to satisfy the applicant?
- 10. Any special features worth mentioning?

- 7. The Yard-stick is as follows:-

Prompt, if within 4 days of, but including, the date of decision.

Late, if between 4 and 7 days.

Very late, if more than 7 days.

- 8. Adequacy refers to the language used in communication with the applicant. A reply is adequate if it is worded in such a way as to enable the applicant to understand easily the reasons/decisions.

SCHEDULE FOR OFFICE STAFF

1. Name of the State in which working?
2. Level at which working : (Secretariat, District, Tehsil or Block)?
3. Department/Office in which working?
4. Designation?
5. Age?
6. How were you recruited? (Recruitment through competitive examination, Departmental Promotion, Direct Recruitment)?
 - 7.1. Educational qualifications : (Highest examination passed)?
 - 7.2. Departmental test(s) passed, (if any)?
 - 7.3. Any special qualifications for the job held?
- 8.1. Total length of service in Government?
- 8.2. Length of service in this Department/office?
- 9.1. Have your duties been defined in relation to the handling of public applications, representations, etc.?
- 9.2. (If yes) what are they? (Please mention the three most important duties).
10. How frequent are the transfers of persons dealing (wholly or partly) with representations etc., of the public?
 - 11.1. Have you had any training with special references to the handling of public grievances?
 - 11.2. (If yes), where was it given?
 - 11.3. What was its duration?

- 11.4. What were the main things taught? (Please mention the three most important things).
- 11.5. Were you also told how to handle complaints etc., from the public?
- 11.6. How far has it helped you in your present job?
- 12.1. Are there Departmental Manuals/Rules and Instructions for your present job?
- 12.2. (If yes), How much use are you making of them?
- 12.3. Are the complaints from public received in your office diarised or entered in a register?
13. Do you think the previous papers and records are kept in such a way that they are readily available?
- 14.1. Is the statement of pending cases prepared?
- 14.2. (If yes), is it put up to officers?
- 14.3. Is it scrutinised by officers?
- 14.4. How frequently is the statement of pending cases prepared?
- 15.1. Are there sufficient incentives for good work in Government service?
- 15.2. (If no), what can be done to provide incentives for good work?
- 15.3. How much is bad work tolerated or ignored by Officers?
- 16.1. What do you think about the workload on you?
(If very heavy or heavy)
- 16.2. Is it heavy always or some times?
- 16.3. What are the reasons for this?
- 17.1. Name (optional)
Designation (optional)

Illustrative Case No. I

A representation dated 20.1.64 was submitted by a Fishermen Cooperative Society to the State Minister for Industries and Commerce. This was received by the Board of Revenue through the Revenue Department for necessary action and report. The Society, in their representation, drew attention to the government orders to the effect that fisheries tanks should be let out to the Fishermens' Society, and complained that, in contravention of these orders, the village tank was leased out to some other influential persons by the Tehsildar of that Taluka. The Society had requested that the fisheries' tank be allotted to them. They further requested that the society be given the right of felling of trees.

2. On 6.2.64, a letter was sent to the District Collector asking for his report. On 12.3.64 a reminder was issued. This was followed up with two demi-official reminders on 14.4.64 and 12.5.64. On 25.5.64 the Collector asked for a copy of the original reference which was not traceable in his office. A copy of the same was sent to him on 26.5.64. On 13.6.64 reminder was issued to the Collector asking for his report.

3. The Collector sent an interim reply on 30.7.64 saying that final reply would be sent on receipt of reports from the concerned officers. The Department of

Revenue reminded the Board of Revenue on 4.8.64 for expediting the report. In turn, the Board of Revenue reminded the Collector again on 8.9.64. On 27.10.64 an interim reply was received from the Collector. The Collector was again reminded on 30.11.64 and demiofficially on 5.1.65. An interim reply was received from the Collector on 23.1.65 stating that he was still awaiting reports from the concerned officers. The Collector was reminded again on 4.3.65. The Revenue Department also reminded the Board of Revenue on 24.3.65 with a copy to the Collector. The Collector again sent an interim reply on 5.4.65. The Collector was again reminded on 7.5.65 and 26.6.65. On 15.7.65, the Collector again sent in an interim reply. The Collector was reminded again on 20.8.65 and 10.9.65. The Department of Revenue also reminded the Board of Revenue on 13.9.65. Further interim reply was received from the Collector on 22.9.65. On 8.11.65, the Collector was again reminded. The Revenue Department also reminded the Collector on 9.12.65. The Board of Revenue again reminded the Collector on 13.12.65 and 22.1.66. A D.O. reminder from the Revenue Department was received by the Board of Revenue on 5.2.66. On 16.2.66 the Board of Revenue sent

an interim reply to the Revenue Department, with an endorsement to the Collector. A reminder dated 2.3.66 was received by the Board of Revenue from the Revenue Department. An interim reply was sent by the Board of Revenue to the Revenue Department on 16.3.66 and the Collector was also reminded. On 22.4.66 a reference was received from the Revenue Department stating that the case be disposed of in the light of the Government instructions issued in July, 1965. On 25.4.66, an interim reply was received from the Collector. The Collector was further reminded on 19.5.66 and demiofficially on 25.6.66 and 26.7.66.

4. Two years and a half after the Collector was first asked for a report on 6.2.64, the Collector sent his report on 11.8.66. He stated in this report that in view of the Government orders issued in December, 1962 the Fisheries tanks could not be leased out to the Society. He recommended rejection of the Society's request so that the rights could be leased to the Harijans and Backward classes. He also contended that Government orders of 2.10.62 were to lease the rights to the Societies of Harijans and Backward classes and not to the Cooperative of Fishermen.

5. On 24.8.66 a further letter was sent by the Board of Revenue to the Collector that his report was not complete and that he should furnish information about the location of the land where the trees stand and in whom the rights vest. The report was required to be furnished within a fortnight. Reminders to Collector were issued on 30.9.66 and 28.10.66. On 2.11.66, a letter was received from the Collector asking for a copy of the reference dated 24.8.66. A copy was supplied to the Collector on 21.11.66. The Collector was further reminded on 3.1.67^{1.3.67} and 30.3.67. At the time of examination of this case by the Study Team on 30.3.67, a report from the Collector was still awaited.

6. To recapitulate the chronology of events:

Chronology of events

- 20.1.64 The reference was received.
- 5.2.64 Put up by the office with a draft letter to the Collector asking for his report.
- 6.2.64 Letter to Collector issued.
- 12.3.64 Reminder to Collector issued.
- 14.4.64 D.O. reminders to Collector sent.
- 12.5.64
- 25.5.64 Collector asked for a copy of the original reference which was reported untraceable in his office.
- 26.5.64 Copy of the original reference furnished to the Collector.

- 13.6.64 A reminder to Collector issued asking for his report.
- 30.7.64 An interim reply dated 24.7.64 received from the Collector saying that a final reply would be sent on receipt of replies from the concerned officers.
- 4.8.64 A reminder dated 1.8.64 received from the Revenue Department.
- 8.9.64 Collector reminded to expedite report and an interim reply sent to Revenue Department.
- 7.10.64 Collector again reminded.
- 27.10.64 An interim reply dated 20.10.64 received from the Collector.
- 30.11.64 Reminder to Collector issued.
- 5.1.65 D.O. reminder to Collector was sent.
- 23.1.65 An interim reply received from the Collector. He was still awaiting the reports from the concerned officers.
- 4.3.65 Collector again reminded.
- 16.3.65 Reminder dated 12.3.65 received from the Revenue Department.
- 24.3.65 An interim reply sent to the Revenue Department with a copy to the Collector.
- 5.4.65 An interim reply dated 29.3.65 received from the Collector.
- 7.5.65 Collector again reminded.
- 26.6.65
- 15.7.65 Interim reply dated 6.7.65 received from the Collector.
- 20.8.65 Collector again reminded.
- 10.9.65

- 13.9.65 Reminder dated 8.9.65 received from the Revenue Department.
- 22.9.65 An interim reply dated 17.9.65 received from the Collector.
- 8.11.65 Collector reminded.
- 9.12.65 A copy of reminder to Collector issued by the Revenue Department received.
- 13.12.65 } Collector again reminded.
22.1.66 }
- 5.2.66 A do. reminder from the Revenue Department received.
- 16.2.66 An interim reply sent to the Revenue Department with an endorsement to the Collector.
- 4.3.66 Reminder dated 2.3.66 received from the Revenue Department.
- 16.3.66 An interim reply sent to the Revenue Department and Collector also reminded.
- 22.4.66 Reference received from the Revenue Department for the disposal of the case in the light of the Govt. Instructions issued in July, 1965.
- 25.4.66 An interim reply received from the Collector.
- 19.5.66 Collector reminded.
- 25.6.66 } Collector reminded demi-officially.
23.7.66 }
- 11.8.66 Report from the Collector received.
- 21.8.66 Collector informed that his report was incomplete and should provide information on some of the other points.
- 30.9.66 } Reminders to Collector issued.
28.10.66 }

7.11.66 A letter dated 2.11.66 received from the Collector asking for a copy of reference dated 6.8.66.

21.11.66 Copy supplied to the Collector and requested for immediate reply.

25.11.66 An interim reply received from the Collector.

3.1.67 Collector reminded.

23.1.67 Interim reply dated 10.1.67 received from the Collector.

1.3.67 Collector reminded.

30.3.67 An-other reminder to Collector was under issue.

7. The case reveals that the government machinery moves very slowly and in a routine way. No importance is attached to the communication received by the lower authorities. The higher authorities also do not bother to haul up the defaulting officials. Even the demi-official reminders had not had the desired effect. There was enormous delay on the part of the Collector in furnishing the report which was even then incomplete. It is rather amazing that the Collector, after having been reminded three or four times, asked for a copy of the original reference. He could have done so on receipt of the very first reminder. This speaks ill of the way references from government are handled in his office.

The report of the Collector was received after about 20 reminders and it took nearly three years to get a

report from him. Even then, the report was found incomplete and he had to be asked for further report. This is an extremely sorry state of affairs. It points to the need for indicating clearly to the Subordinate authorities, the specific points on which the comments or the report is required. It also emphasizes the need for care on the part of subordinate authorities to furnish complete information/report on all the points in the first instance. This additional information, which was simple in nature had not been received from the Collector till March end 1967 even after having served him with five reminders.

8. In their communication dated 24.8.66 the Board of Revenue had asked the Collector to send his further report within a fortnight. Even after several reminders and a lapse of seven months the report was not forthcoming. No notice seems to have been taken by the Board of Revenue on the conduct of the Collector for not complying with the specific order and for not adhering to the stipulated period of time. This is a clear defiance of authority of the Board of Revenue, who also acquiesced in it.

9. Failure to take punitive action under rules in respect of erring officials, both low and high in this case, speaks volumes of laxity in the process of administration.

Illustrative Case No. II

The case is in respect of a Clerk of the Civil Surgeon's office. The Clerk was suspended from service on 1.1.1964 on charges of misappropriation of government funds amounting to Rs.1,016.66. He was sanctioned while under suspension, a subsistence allowance upto 30.6.1965.

2. On 27.11.65, the Clerk represented to the Director of Health Services, with a copy to the Civil Surgeon and the Secretary, Health Department, that though he continues to be under suspension and entitled to receive subsistence allowance, the sanction for it had not been renewed after its expiry on 30.6.1965. He complained of hardship and requested further sanction of subsistence allowance from 1.7.1965 onwards.

3. The Director of Health Services, on receiving this request, initiated the case and wrote to the Secretary Health Department, on 29.11.65 for the issue of necessary sanction. This he followed up by a reminder on 7.12.65. The Secretary Health Department asked the Director of Health Services on 7.12.65 to furnish information on the following:-

1. the date of service of charge sheet;
2. reasons for suspension;
3. date of explanation by the applicant;

4. present stage of the case; and
5. steps taken for expediting the disposal of the proceedings.

4. On 15.12.65, the Clerk under suspension sent a reminder to the Director of Health Services, with a copy to the Secretary Health Department. He sent another reminder on 30.12.65 to the Secretary, Health Department, with a copy to the Director of Health Services. The Secretary Health Department, sent a reminder to the Director of Health Services on 8.1.66, and another reminder on 9.2.66. Again on 16.2.66, the Clerk sent a telegraphic reminder to the Secretary Health Department. Thereupon Secretary Health Department sent a D.O. reminder to the Director of Health Services, on 24.2.66. On 10.3.66 the Director of Health Services sent in complete information and complete information was sent by him on 18.3.66. The Secretary Health Department on getting the information referred the case on 19.3.66 to the Finance Department for sanction. As the case was already very badly delayed, the Finance Departments clearance was obtained personally and the government order sanctioning the subsistence allowance was at long last issued on 21.3.66.

5. To recapitulate the chronology of events at a glance:

Chronology of Events

- 27.11.65 The applicant wrote to the Director of Health Services, with a copy to Civil Surgeon & Secretary Health Department complaining of hardship and requesting renewal of sanction for subsistence allowance from 1.7.65 onwards.
- 29.11.65 Director, Health Services wrote to Secretary (Health) to the same effect.
- 7.12.65 Director (Health Services) reminded Secretary (Health).
- 13.12.65 Secretary (Health) asked Director (Health Services) for certain information.
- 15.12.65 The applicant sent another reminder to Director (Health Services) with a copy to Secretary (Health).
- 30.12.65 The applicant sent another reminder to Secretary (Health) with a copy to Director (Health Services).
- 8.1.66 Secretary (Health) sent 1st reminder to Director (Health Services).
- 9.2.66 Secretary (Health) sent 2nd reminder to Director (Health Services).
- 16.2.66 The applicant sent telegraphic reminder to Secretary (Health).
- 24.2.66 Secretary (Health) sent D.O. 3rd reminder to Director (Health Services).
- 10.3.66 Director (Health Services) submitted the required information in part.
- 18.3.66 Director (Health Services) submitted complete information.

19.3.66 Case was referred to Finance Department for sanction and got the case sanctioned personally.

21.3.66 Government orders sanctioning the subsistence allowance were issued.

6. This is typical of badly delayed cases in the government Departments. The action on the part of the Administration should have been automatic. The Civil Surgeon or the Director of Health Services should have initiated the case in early May '65 on their own. Even after the Clerk had represented it took nearly four months to sanction the subsistence allowance. The Director of Health Services should not have taken 3 months to furnish the information asked for by the Secretary Health Department. The information called for was simple and should have been readily available in the office of the Director of Health Services. The delay on his part for 3 months is ^{had} inexplicable. In fact, the Directorate of Health Services been aware of the rules on the subject he would have furnished complete information in the very first instance when he referred the case to the Secretariat on 29.11.65. The clerk had to suffer avoidable hardship because of the inefficiency on the part of Administration. The case shows clearly that while the personnel in government organizations are responsible for delays, it is the individuals, be they government employees or citizens, who suffer the hardships caused by these delays.

Procedure for Handling Applications

The procedures adopted for the disposal of Government business have considerable bearing on the efficiency with which the work is carried on in Government offices. It is, therefore, necessary to examine and modify procedures whenever a change is called for. The following procedure is accordingly suggested as a model for handling applications from the public and Government employees.

REGISTRATION AND DAK STAGE

1. All applications, representations, complaints, petitions, etc., received by an officer or his office should be entered in a special register having the following

columns:

1	2	3	4	5	6	7
Sl.No. of the appli- cation.	No. & date of the appli- cation.	From whom received (Full- address).	Brief sub- ject.	To whom given	Date of ack- noledge- ment.	Date & nature of disposal, e.g. filed reply sent etc.

2. The registration, instead of being done at one place in the Petition Register should be according to well-defined areas or categories- e.g. District wise in the case of the State Level, Tehsil-or Taluq-wise in the case of District level, Patwari-or Kanungo- or

V.L.W.-wise in the case of Tehsil or Taluq level. A block of pages should be allotted to each area, the registration numbers should be consecutive in the case of each area, though made distinguishable by three or four alphabetical letters representing that district. For example, a register in a Secretariat Department or Office/Section of the Head of Department in Rajasthan State would have the pages allotted to each District, arranged alphabetically as follows:-

<u>District</u>	<u>Pages allotted</u>
Alwar	1 - 10
Bharatpur	11 - 20
Jaipur	21 - 30
Udaipur	31 - 40

,,,,, and so on.

The actual registration numbers on each page will be as follows:-

Alwar

Date : 1.1.1967

1/67 - ALWAR

2/67 - ALWAR

3/67 - ALWAR

2.1.1967

4/67 - ALWAR

5/67 - ALWAR

Bharatpur

Date : 1.1.1967

1/67 - BPR

2/67 - BPR

and so on.

3. The system is suggested to overcome the present difficulty whereby the cases pertaining to a particular area and still pending cannot be easily located for being handed over to the officer for on-the-spot enquiry or follow-up when he happens to go out on tour to that area. The procedure suggested will have the added advantage of knowing at a glance the number of applications received from each area and the nature of their problems, and whether they have been disposed of or not.

4. After registration, such of the applications as have not been seen by the Branch Officer concerned earlier, will be submitted to him for his perusal. Of these, as well as of applications received direct, the Officer will himself dispose of as many applications as possible, while on others he will indicate the action needed on the part of the office.

5. The Section Officer/Superintendent should keep a note in his personal note book or desk calendar of important receipts requiring prompt action or on which

action is required to be completed by a specified date.

This will enable him to keep a watch on progress of action.

ACKNOWLEDGEMENT

6. All applications should invariably be acknowledged under the signature of the Section Officer/Superintendent/Head Clerk or the P.S./P.A. to the Minister or officer concerned. Applications belonging to the following categories need not be acknowledged :

- i) Anonymous, pseudonymous or unsigned applications (except those which contain specific allegations capable of verification and where the Head of Office at his discretion desires the action to be initiated).
- ii) Applications from Government employees.
- iii) Inter-departmental references.
- iv) Applications presented by a person possessing no claim or advancing a claim of an obviously unsubstantial character.
- v) Where a copy of the application has gone to the officer competent to take the decision and copies have been sent to others (including Minister) as a matter of routine.
- vi) The language of the application is indecent or disrespectful, or when the application is illegible or un-intelligible.

7. The following types of applications should not be entertained and the applicants should be suitably informed, preferably at the time of the acknowledgement itself:

- i) Applications relating to matters which are pending before any Court or Tribunal, or other similar authority, or regarding which proceedings

can be taken in such Court, Tribunal or other authority.

ii) Applications containing complaints relating to the administration of Civil or Criminal justice;

iii) Applications in respect of which the applicant has omitted, or seems to have omitted, to approach the competent Grievance Officer at the District or Head of Department or State Secretariat level for redress (except where there are reasonable grounds for such omission).

iv) Applications which have been considered and decided by the Government in the past and no new facts, which merit reconsideration of the case, are brought to light.

v) When the application is so belated that its consideration is clearly impossible or is debarred by rules.

vi) When the application is for employment to posts not under the administrative control of Government or to posts under the administrative control of Government not made in pursuance of any rule or announcement regarding applications for such employment.

vii) When the application is a representation against a decision which is declared to be final by any law or statutory rule.

viii) When the application is against a failure by Government to exercise a discretion vested in them by law or rule.

ix) When the application is a representation against the action of an individual or of a body of individuals regarding the private relations of the applicant and such individual or body.

8. A draft acknowledgement letter is suggested at Annexure I (page 195)

FORWARDING OF APPLICATIONS

9. Applications received from citizens by higher authorities by way of general endorsement should not be forwarded to lower authorities for report or action, when it is clear that its copy has already gone to the officer competent to take action. In other cases, the copy should simply be forwarded to such competent officer under intimation to the applicant. Where it is necessary for the higher authorities to call for a report of the subordinate office/officer;

- a) The application should be forwarded to him in original with the request for its return. Time and effort need not be spent in making a copy simply for fear of the loss or misplacement of the original. However, as a safeguard against the possibility of its loss, or misplacement, the gist of the application should be briefly mentioned both in the communication calling for a report and in its office copy.
- b) Copies of the application should be made only in cases where comments or reports have to be called for from more than one officer, in which case they should be asked simultaneously for their reports/comments.
- c) The minimum time limit for receiving reports/comments should be one month on the higher side, though a shorter period should be prescribed wherever it is considered possible. If reply is not received within the prescribed time-limit, the

matter should be brought to the notice of the officer above the level of the delaying officer (in the case of sister offices) and serious notice should be taken of the delay on the part of the subordinate officer (vide p. 106)

10. It is a matter of general practice, asking the competent officer below for a report on the complaint of a citizen should be an exception rather than the rule.

11. If the application received from a citizen is in the nature of an appeal against the decision of such lower competent officer, it should be forwarded to the officer competent to review the decision, unless the appellate officer has himself received the appeal. In such cases, the appellate officer should ask the officer appealed against for a report along with all the relevant papers on the subject. The appellate officer should review the case carefully, give his decision and communicate it to the applicant at the earliest possible date. The papers should then be returned to the competent officer for filing and recording.

12. A draft letter forwarding applications is suggested in Annexure II.

1. It is a normal administrative ethics that the superior shields his subordinate and his actions vis-a-vis the outsider. We presume that, on merits, the appellate officer would uphold most of the decisions/actions on grounds of bona fide, and that very rarely he will have the occasion to reverse the decision/action on grounds of error of judgement etc., Such a reversal would indeed be desirable.

CLASSIFICATION FILING AND HANDLING OF RECEIPTS

13. The applications or receipt should be allotted one of the categories mentioned hereafter depending upon the kind of action needed for their disposal. The applications should be disposed of within the time limit indicated against each category. Almost invariably, the disposal of applications is delayed, and the delay is always out of proportion to the nature or category of the application. That is to say, even simple cases which should ordinarily be disposed of in matters of minutes, are delayed considerably.

(a) Category A - Routine & Simple

(Acknowledgements, for information, Reminders, asking for/furnishing papers/application of simple rules/precedents)

... 15 days

(b) Category B - Complex

(Involving Policy issues, relaxation of rules, etc.)

... 30 days

14. If other offices have to be consulted or where report has to be called for from subordinate offices, the period for disposal of a case should be twice the period indicated above.

15. Each application should normally be treated as a file in itself and dealt with - on its Diary Number,

191 :
unless there are some compelling reasons to the contrary.
After disposal, the case should be placed in the area-wise bundle of disposed of cases. The applications of government employees, after disposal should be added to the personal file of the employee, with a note to that effect made in the Petition Register.

- i) Inordinately long "halting time" of papers at various levels being one of the major causes of delay, officers and/or staff should be required to dispose of the case, as completely as possible:
 - a) within three clear working days of their receipt. In cases where more time is needed, the officer concerned should invariably seek the written permission of the next higher authority for extension of this period, stating also the reasons in brief why extension is considered necessary.
 - b) the maximum "halting time" for cases which require on-the-spot enquiry should be 15 days if the enquiry is to be made at a place which is also the Headquarters of the officer or employee who has to submit the enquiry report, and 30 days for other places.

ii) this rule is by no means a new one, it has been laid down, mutatis mutandis, in the past; but it has failed because it has been observed more in breach than in observance. It is therefore strongly urged that this rule should be strictly observed. Serious note should be taken of a breach of this rule: the level responsible for this should be that immediately above the level where the breach occurred. Failure or reluctance to carry out this important responsibility should also be taken serious notice of by the next higher level.

16. In the offices at the District level offices of the Heads of Department and in the Secretariat Departments, the number of levels required to put up notes should be defined, keeping in view the following principles:

i) In Secretariat Office and the Office of the Head of Department.

- a) Where officer-oriented system has been introduced; noting should be done by not more than two levels, including the decision-making level but excluding the level responsible for putting up paper and referencing them.
- b) In other offices, the noting should be by not more than three levels, including the decision-making level.

ii) At the District level

- a) Where officer-oriented system has been introduced noting should be done by only one level, viz, decision making level but that too should be confined to the brief recording of instructions leading to the decision where the line of action is clear or where reasons for the decision are contained in the reply to the applicant, no noting need be done.
- b) In other offices, noting should be done by not more than two levels, including the decision making level.

iii) At levels below the District level

Since the lines between the officer-oriented system and the traditional office-system tend to get blurred at these levels, the transaction of Government business tends to get less formal and the personal contact between the citizens and Government employees tends to increase, the noting should be by one or two levels - but not more than two levels in any case-keeping in view the general principles mentioned

for the offices at the District level. As already stated the transaction of Government business at these level is generally through personal contacts and is informal, and in such a situation, the Government employees often do not record the particular action taken by them or the reasons therefor. At these levels this does not generally need one or two brief sentences - this applies also to the record of the meeting with non-officials-and this should be done invariably.

Failure to take action where action is due, or incomplete action arising out of ignorance of rules or inadequate attention to the details of the case, or attempt at "tossing" of papers and roping in others where action or decision is the sole responsibility of the officer himself-all these should be taken serious note of and suitable action should be taken against the defaulting officer (vide p. 135 supra).

CHECKS ON DELAYS

To exercise effective checks on delays, a weekly arrear statement should be prepared by office/section and thoroughly scrutinized by the officer concerned. This helps to give a statistical picture of the number of applications received and dealt with during the week together with a detailed analysis of the number pending. This enables the officer to keep a watch on the progress of the work and to take suitable steps to expedite action on delayed cases.

18. Statement of cases pending disposal for over one month should also be prepared. This helps to bring to the notice of the officers the cases that have been pending disposal for over a month and where and why.

19. A draft weekly arrear statement and a monthly statement is suggested at Annexure III.

No.

Annexure I to Appendix VII

Book Post

Stamp

To Shri/Shrimati _____

Dated the

Subject: _____

Sir,

This is to acknowledge receipt of your communication

**

dated, and to say that

- 1) your request is receiving attention and a further communication will be sent to you shortly/by.....
- 2) The Comments/Report of..... is being called in the matter. This is likely to take days and a further communication will be sent to you by about
- 3) Your request, it is regretted, cannot be considered because of the following:-
 - (a) the matter is pending before Court/Tribunal.
 - (b) the matter can be taken to a Court/Tribunal.
 - (c) the application contains complaint relating to the administration of Civil or Criminal justice,
 - (d) etc.

(as per page 41 ante)

Yours faithfully,

(A B C)

*This paper may be folded stitched in such a way that this address can be used by the Postal Authorities.

**Please tick the portions applicable.

No.

: 196 ;

Annexure II to Appendix VII

Dated the

*
Subject :

Enclosed in original is an application dated

..... received from **

on the above subject. It is requested that your report/
comments in the matter may please be forwarded to this office
within.....days. The application may also please be

returned along with your reply.

2. Your comment/Report is needed particularly on the

following points:

1.

2.

3.

4.

5.

(A B C)

To

The

* The subject should be given so comprehensively that
it serves as a gist if the original application is
lost. The office copy of this should be invariably
retained.

** Here give the full postal address of the applicant.

*** To be scored if the portion is not applicable.

Annexure III to Appendix VII

Weekly Arrear Statement Week ending.....

Sl. No. of the Assistant	Number of applications pending from last week.	Number of applications received during the week.	Total	Number disposed of	Pending
(1)	(2)	(3)	(4)	(5)	(6)
					(7)
					(8)
					*(9)

within Between over
3 days 3 to 7 one
days week

*Please furnish details of the pending applications.

LIST OF CASES PENDING OVER A MONTH - For the month of

Sl. No. of the application Dy. No Brief subject With whom pending/ and present position

(1) (2) (3) (4) (5) (6)

Model Guide-lines for making Applications to Government.

The citizens' contact with the Government has been increasing with growing State participation in various public welfare and developmental activities. Governmental agencies at different levels have to make thousands of decisions affecting individuals directly. Many applications are made to Government with one request or other. It is often said that the Administration is not responsive to the needs and aspirations of the people and many of the applications made to it are either delayed considerably or they remain unattended to. There is admittedly some justification for this complaint.

While Government is taking all possible steps to ensure quick and prompt action on the applications received from public, it has been observed that in a large number of cases the work of Administration ^{is} being made difficult by the public itself. Many of the applications received are either incomplete or frivolous or copies of the same applications are endorsed to a large number of authorities. Sometimes applications are written in a vague language and fail to indicate the precise purpose of the application. This creates unnecessary confusion thereby wasting the time of various officers handling the applications without

bringing any useful result to the applicants. All this could be avoided to a great extent if certain basic considerations are kept in view by the people. It would then be easier for the Administration to handle applications etc. received from the people more promptly and cut to a great extent unnecessary and irksome delays.

If you have to write to Government on any matter you consider important, here are some guidelines. By observing them you will be helping yourself no less than you will be helping the administration.

*
Guide-lines

1. It may please be ensured that the application pertains to some genuine request or problem and is within the perview of the normal activity of the Government. The following types of applications are not likely to be entertained by the Government.

- i) applications relating to matters which are pending before any Court or Tribunal, or other similar authority, or regarding which proceedings can be taken in such Court, Tribunal or other authority;
- ii) applications containing complaints relating to the administration of Civil or Criminal justice;
- iii) applications in respect of which the applicant has omitted or seems to have omitted to approach the competent Grievance Officer at the District or Head of Department or State Secretariat level for redress (except where there are reasonable grounds for such omission);

- iv) applications which have been considered and decided by the Government in the past and no new facts, which merit reconsideration of the case, are brought to light;
- v) when the application is so belated that its consideration is clearly impossible or is debarred by rules;
- vi) When the application is for employment to posts not under the administrative control of Government or to posts under the administrative control of Government not made in pursuance of any rule or announcement regarding applications for such employment;
- vii) when the application is a representation against a decision which is declared to be final by any law or statutory rule;
- viii) when the application is against a failure by Government to exercise a discretion vested in them by law or rule;
- ix) when the application is a representation against the action of an individual or of a body of individuals regarding the private relations of the applicant and such individual or body;
- x) anonymous, pseudonymous or unsigned applications (except where they contain specific allegations capable of verification and where the Head of Office at his discretion desire the action to be initiated);
- xi) applications which are illegible, or un-intelligible
- xii) applications which are written in indecent or disrespectful language;
- xiii) applications by a person possessing no claim or advancing a claim of an obviously unsubstantial character; and
- xiv) when the application is against a failure by government to exercise a discretion vested in them by law or rule.

2. The applications should generally be addressed to the local officer who may immediately be concerned with the subject matter. However, if it is not clear as to who such officer is, the application may be addressed to the Secretary to the Department concerned at the state level, or to the Head of Department, or to the District Collector, as the case may be. The applicant may write to superior authorities only when a reply is not received within a reasonable time or in case he is not satisfied with the reply received in which case a copy of the reply received from the local officer may also be enclosed.

3. If the same officer is required to be addressed again on the same subject, the date(s) of earlier application(s) and number and date of the communications received on the said application, if any be quoted. It will help in locating the earlier papers easily.

4. As far as possible copies of the same application should not be endorsed to many officers at the lower or the higher level. Action will be taken only by the officer concerned; other officers who have received copies of the application will normally not take any notice of them. If however, you know that the officer addressing you will have to ask comments or report of other officer, send him if possible as many spare copies

of the applications as you think will be the number of officers consulted by him.

5. As far as possible an application to Government should be made only by the persons about his own problems. The applicant should indicate his name and address clearly failing which no reply can possibly be sent or a reply even if sent may not be received by the applicant.

6. The applicant should sign the application in his/her own hand at the appropriate place. In case the applicant is illiterate, the application should be authenticated by the thumb impression (Left hand thumb impression in case the applicant is a man and right hand thumb impression in case the applicant is a woman).

7. In case the application is delivered personally in an office a receipt there of may be obtained either on the office copy or separately. The applicants should pay the postal charges in full and in advance when the application is sent by post.

8. Application should not ordinarily be made through postcards unless the subject matter is very short.

9. The applications should as far as possible be written in ink or typed. It should be clear and easily legible so that the reader may have no difficulty in reading it.

10. The application should be written as concisely as the nature of the case admits of. It should at the same time contain all the material facts of the case and be complete in itself. It should end with a specific request. This would obviate the necessity of calling for more information from the applicant and thus avoid delay in the disposal of the application.

11. Separate applications should be made for different subjects, even if the subjects concern the same officer. In case more subjects are dealt with in the same application, there is danger of some of the items being delayed or being not attended to at all.

12. It may please be ensured that your application is complete in respect of the following check-points:-

- i) Designation and address of the officer to whom the application is to be made.
- ii) Applicants' full Name and address (Village, Taluka, Distt. etc.)
- iii) Age, profession and father's name of the applicant wherever necessary.
- iv) Subject matter and content of the application.
- v) Whether any application on the subject was made earlier. If yes, indicate clearly as to when the application was made.
- vi) Was the earlier application disposed of by the concerned officer or is it still pending. In case it was disposed of, number and date of the communication received from the said officer may

be quoted and in case it is possible a copy thereof may be enclosed.

vii) Describe in simple and clear language the purpose of the application and its details.

viii) Date of the applications and signature or thumb impression of the applicant.

SUMMARY OF OUR FINDINGS, RECOMMENDATIONS
AND SUGGESTIONS FOR FURTHER RESEARCH

(Our recommendations are underlined. Those in the nature of suggestions for further study are marked with asterisk (*). Others are in the nature of facts and findings).

Ref. to pageA. Nature of applications :

1. In the sample studied by us, there is a preponderance of simple-routine cases (64%); complex cases are about half that number (34%). 74
2. The number of complex cases declines perceptibly as one goes down the area levels. 75

B. Channels through which applications are received :

3. Only 19% of the total applications in our sample were received through Ministers and 7% from MPs., MLAs, etc. - comprising about one-fourth of the total lot. 77
- *4. There is need for further enquiry whether it was really necessary for the citizens to submit their applications through the Ministers. A further probe into the reasons which motivate the citizen to submit his application to a Minister would seem to be worth-while the effort. 77

C. Diarising of applications :

5. In comparison with the large number of applications which are diarised, the number of applications which are not diarised is quite small (only 3%); but considering the importance of diarising, this small percentage seems to be quite serious. 79

6. All applications from the public should be diarised in a separate petition register. 81

D. Acknowledgement of applications :

7. The number of acknowledgeable and non-acknowledgeable applications is almost equally divided. Of the acknowledgeable applications, a little less than one-third are actually acknowledged. 81-82

8. Non-acknowledgement of applications constitutes a deplorable communication gap, which can, and should, be filled up so as to improve the image of administration in the eyes of the people. 82

E. Handling of applications by Officers in Dak Stage :

9. A large number of applications (86%) are submitted to officers in dak stage, but only a small number (8%) are disposed of by the officers themselves. 85

10. The nature of applications - routine-simple or complex - hardly makes any difference as far as disposal by officers in dak-stage is concerned. Paradoxical though it may seem, it also appears that the larger the number of simple-routine cases, the higher the proportion of direct disposal by officers. 87

*11. The paradox mentioned above needs a deeper probe through further studies. 90

F. Delays :

12. Only one-fourth of the total cases are disposed of in the normal time. The remaining three - fourths are delayed. 91
13. It is not merely the complexity of rules, regulations and procedures that lead to delays; obviously, laxity of the Administration and supervision, lack of interest and of spirit of responsibility, lack of sensitivity towards public interest may be some of the other contributory factors. 94
14. The extent of delay goes on decreasing as one goes down the area level. 95
15. One of the major causes of delays appears to be the inter-departmental references or references to subordinates. 96
16. Inter-departmental/office references should be done only when absolutely necessary/ (If more than one office is to be consulted). The reference should be complete listing all the points on which consultation is to be done. Control over subordinate offices for prompt reply should be tightened. 96
- and simultaneously
17. Specifying time limits for disposal of applications has not made any significant impact on the speed of disposal. 97
- * 18. This would seem to point to the need for probing the problem further with special reference to the role of morale and motivation of the personnel involved at all hierarchical levels. 98

Ref. to page

19. Delays occur both at the lower hierarchical levels (the level of a Section Officer/Superintendent and below) and at higher ones (above the Section Officer). The extent of delay at the lower levels is slightly greater than that at the higher levels. The major contributory causes of delay are delays in subordinate offices combined with lack of follow-up action.

101

G. Personnel Problems

20. Three-fourths of the staff feel that the work-load on them is heavy or very heavy. The number of higher officers who complained to us of heavy work-load through wastage of their time in infructuous work, meetings, conferences, etc. was also quite large.
- *21. The problem of efficiency of staff needs to be examined in detail through further study with an eye on more progressive personnel policies and more enlightened human approach.
- *22. It is for consideration whether applications etc., of government employees pending for more than one year should not be brought within the purview of Lokpal and Lokayukta in so far as delays, as distinct from the merits of the case are concerned.

105

105

105

23. Opinion about the adequacy and efficiency of the present O & M Organisation was divided; some officers even said that the O & M Authority had never visited their offices. 106
24. There is need for strengthening the O & M Organisation and ensuring regular inspections and work-study in all offices with a view to eliminating infructuous work, improving work procedures and achieving greater work-productivity. 106
25. There is also need for laying down the scale of penalties like warnings, adverse conditionals, etc. for chronic defaulters; just as there is need for a scale of incentives like letters of appreciation, prizes, etc., for consistently good workers. 106
- H. Rules, regulations and Manuals
26. Simplification of manuals and bringing them up-to-date in a consolidated manner and preparation of one where none exists need urgent attention. 107
- I. Public Relations Officer
27. While it should not be a part of the duties of the Public Relations Officer to deal with citizens' grievances, the objectives of this office could relate essentially to educating and informing the people and to keep Government informed of the reaction of citizens towards Government policies and programmes. 108-109

J. Machinery for dealing with citizens' applications :

I) At the State Level

28. A separate institution of the State Director for citizens' grievances does not seem to be necessary. We recommend instead that the secretaries to Government in a Secretariat Department and the head of the department in the attached and subordinate offices should be designated as the ex-officio grievance officer for that particular department with the functions as defined in the main body of the report.

119

29. The ex-officio grievance officer in a Secretariat/Technical Department should be provided with the assistance, full-time if possible and part-time otherwise, of an other departmental officer, who may be designated as the departmental Deputy Grievance Officer with the duties as defined in the main body of the report. 120

II.) At the District level and below

30. We recommend that the District Collector/ Deputy Commissioner should be designated as the ex-officio Grievance Officer at the District Level with the functions as defined in the main body of the report. 122

31. To enable the Collector to discharge his duties as District Grievance Officer efficiently and effectively without detriment to his other functions, he should be provided with the Assistance of (A full time officer if possible and part-time otherwise) of an other officer who should be designated as the Assistant District Grievance Officer, with duties as defined in the main body of the report. 123

32. The Assistant Grievance Officer should be provided with the Assistance of a full-time Senior clerk or Assistant to help him in the routine side of his work, who should preferably know shorthand and typing. By way of incentive, such Clerk and Assistant should be given a suitable allowance. 124

K. District Grievances Committees

- *33. Before the District Grievances Committees are formed in any State, the working of the present District Grievance Committees in Punjab, Haryana and Mahdy Pradesh need to be studied in greater detail. 126
- *34. It is also for consideration whether the encouragement of Citizens' Advice Bureaux on Voluntary basis would be more effective than formation of District Grievance Committees. 126
35. All applications should invariably be acknowledged under the signature of the Section Officer/Superintendent/Head Clerk or the P.A. to the Minister or officer concerned, except those belonging to Certain categories mentioned in the main report. 128-129
36. Applications from Citizens should be allotted either of the two categories simple and complex, and should be finally disposed of within the time limit indicated against each category in the Main Report. 131
37. An application should be treated as a file in itself on its diary number unless there are some compelling reasons to the contrary. 132

38. In order to reduce the halting time of papers at various levels, officers and staff should be required to process the case as completely as possible within three clear working days of their receipt. 133
39. The number of levels required to put up notes should be reduced and defined, keeping in view the principles enunciated in the main body of the report. 134
40. Failure to take action where action is due or taking incomplete action because of ignorance of rules or because of inadequate attention to the details of the cases should be regarded as grave dereliction of duty and dealt with as such. 135
41. Attempts at tossing of papers and roping in others where action or decision is the sole responsibility of the officer himself, should be taken serious note of and suitable action should be taken against the defaulting officer. 136
42. Where it is necessary for the competent Officer to call for a report of the subordinate offices, before giving his decision, the report should be called for in the manner indicated in the main body of the report. 137
43. A departmental officer going out on tour to a particular area (District, Tehsil/Talug or Block) should take with him a list of all cases on which reports/comments asked for from the officers in the area to be visited are pending. The officer should expedite, and if possible bring back with him, the reports/comments. 138

Ref. to page

44. Applications received by higher authorities by way of an endorsement should not be forwarded for report or for action where it is clear that its copy has already gone to the officer competent to take action. In other cases, the copy should simply be forwarded to such officer for necessary action under intimation to the applicant. Alongside this, it is necessary that serious view should be taken of officers who fail to exercise the delegated powers and responsibilities. 138
45. Appeals should be reviewed in accordance with the procedure indicated in the main body of the report. 139
46. Clear-cut instructions for handling of applications from citizens should be laid down for the guidance of officers on the lines of the model suggested by us in Appendix VII. 140
47. Instructions should also be laid down on the lines indicated by us in Appendix VIII and published for the guidance of the public. 140
48. By way of implementation and follow-up of our recommendations the supervision and inspection need to be considerably improved and strengthened. As a part of this, particular attention needs to be paid to the preparation and scrutiny of weekly and monthly statements of pending cases. 144-145
49. The procedure to be laid down as a result of our recommendations should be followed from time to time so as to bring to light the weak spots needing corrective action. 145

